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Member
TRACY DiFILLIPPO, ESQ
Consumer Member
JOHN BERTOLDO, ESQ
Consumer Member

JULIE STRANDBERG
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

4600 Kietzke Lane, Suite M245

Reno, Nevada 89502-5000

Telephone (775) 688-1921

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

NOTICE OF MEETING

DATE: Friday, October 5, 2018

TIME: 8:30 a.m.

LOCATION: Grant Sawyer, 555 E. Washington Ave., Room 4400, Las Vegas, NV 89101

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. Colucci

Statement of Purpose – Dr. Lurie

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.

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 July 19, 2018 Meeting Minutes - For possible action.

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

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

Agenda Item 6 Legislative Matters – For possible action.

- A. Dan Musgrove Advocacy report

Agenda Item 7 Discussion/possible action regarding the Matter of Mark Letterman, DC (Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.) – For possible action.

Agenda Item 8 Discussion/possible action regarding the Matter of Jessica McKelvey, DC (Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.) – For possible action.

Agenda Item 9 Discussion/possible action regarding the Matter of James Overland, Jr., DC (Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.) – For possible action.
What supporting documentation is needed?

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

Agenda Item 11 NCA Report – No action.

Agenda Item 12 NCC Report – No action.

Agenda Item 13 Board Counsel Report – No action.

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

- A. District I & IV Meeting – Palm Springs, CA
- B. Other FCLB/NBCE matters

Agenda Item 15 Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

- A. Complaint 16-11S (Colucci)
- B. Complaint 17-08S (Lurie)
- C. Complaint 17-18S (Jaeger)
- D. Complaint 17-24S (Jaeger)
- E. Complaint 17-26S (Colucci)

October 5, 2018 CPBN Meeting Agenda

- F. Complaint 17-28S (Colucci)
- G. Complaint 17-30S (Colucci)
- H. Complaint 17-31S (Martinez)
- I. Complaint 18-03S (Colucci)
- J. Complaint 18-06S (Jaeger)
- K. Complaint 18-07S (Lurie)
- L. Complaint 18-09S (Rovetti)
- M. Complaint 18-10N (Martinez)
- N. Complaint 18-11S (Jaeger)
- O. Complaint 18-12S (Jaeger)
- P. Complaint 18-13S (Rovetti)
- Q. Complaint 18-14S (Rovetti)
- R. Complaint 18-15S (Jaeger)

Agenda Item 16 Committee Reports

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

Agenda Item 17 Reassign Committees – For possible action

Agenda Item 18 Executive Director Reports:

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

Agenda Item 19 Financial Status Reports:

- A. Current cash position & projections – No action.
- B. Accounts Receivable Summary – No action.
- C. Accounts Payable Summary – No action.
- D. Employee Accrued Compensation – No action.
- E. Income/Expense Actual to Budget Comparison as of August 31, 2018 – No action.

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

- A. Mandatory Self-Inspection report
- B. Fines for not meeting deadlines. i.e. Self-Inspection
- C. NAC 634.339 (1) (d) Shall not supervise more than one student.
- D. Prohibit applicants from serving on the Board with a history of Board discipline.

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

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

Agenda Item 23 Correspondence Report – No action.

Agenda Item 24 Board Member Comments – No action.

Agenda Item 25 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 26 Adjournment – For possible action.

This agenda posted September 28, 2018 at the Chiropractic Physicians' Board of Nevada, 4600 Kietzke Lane, Suite M245, Reno, Nevada 89502; Office of the Attorney General, 100 North Carson Street, Carson City, Nevada 89701; Office of the Attorney General, 555, East Washington Avenue, Las Vegas, Nevada 89101; State Library and Archives, 100 North Stewart St., Carson City, Nevada 89701; CPBN Website: <http://chirobd.nv.gov>; and Notice.nv.gov.

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

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

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

or by e-mailing a request to Julie Strandberg at: chirobd@chirobd.nv.gov

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

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 1 Public Interest Comments – No action.**

- A. Public Comment will be taken at the beginning and at the end of each Board meeting;**
- B. Public Comment may also be taken at other such times as requested so long as the request that Public Comment be taken will not interrupt ongoing Board business;**
- C. Depending on the number of individuals wishing to address the Board, a reasonable time limit may be set. The Board will not restrict comments based upon viewpoint;**
- D. No action may be taken upon a matter raised during Public Comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken.**
- E. Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual the Board may refuse to consider public comment as per NRS 233B.126.**

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

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

MEETING DATE: **October 5, 2018**

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

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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

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: **October 5, 2018**

TIME REQUIRED: **5 minutes**

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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

RECOMMENDED MOTION: **Approve the minutes of the July 19, 2018 meeting as drafted.**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

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MEETING MINUTES

A meeting of the Chiropractic Physicians' Board was held on Thursday, July 19, 2018 at the Public Utilities Commission, Room B, 9075 W. Diablo Drive, Suite 250, Las Vegas, NV 89148.

The following Board Members were present at roll call:

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

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

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

Dr. Martinez led those present in the Pledge of Allegiance. Dr. Jaeger stated the Purpose of the Board.

Agenda Item 1 Public Interest Comments - No action.

There was no public comment.

Agenda Item 2 Approval of agenda – For possible action.

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

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

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

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

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

Agenda Item 7 Discussion/possible action regarding the Matter of Bret Brown, DC (Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.) – For possible action.

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

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

Agenda Item 6 Discussion/possible action regarding the Matter of Stephen Alexander, DC (Note: the Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.) – For possible action.

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

Agenda Item 5 Discussion/possible action regarding the Matter of Alan Bader, DC (Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.) – For possible action.

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

Agenda Item 8 Discussion/possible action regarding the Matter of James Overland, Jr., DC (Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.) – For possible action.

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

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

Dr. Jaeger asked questions of the Board. Dr. Jaeger provided a list of the requirements that Dr. Overland had not met to complete his application, which included Part IV, and/or SPEC, not having an active license within the last 7 years, and approximately \$50,000 in board costs/fines.

Dr. Jaeger asked the Board to consider the items mentioned as the Board makes its decision. Dr. Martinez recommended giving Dr. Overland Jr. a clear path and Dr. Lurie recommended that Dr. Overland Jr. show acts of good faith and return before the Board with a complete application.

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

Agenda Item 10 Legislative Matters – For possible action.

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

Agenda Item 11 NCA Report – No action.

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

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

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

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

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

Dr. Overland stated that he was contacted by a licensee who received a complaint from the Physical Therapy Board regarding Physical Therapy being advertised on his website, which was

immediately changed to advertise Physiotherapy and has since received a complaint from the Attorney General's Office stating that Physiotherapy is synonymous with Physical Therapy.

Agenda Item 12 NCC Report – No action.

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

Agenda Item 13 Board Counsel Report – No action.

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

Agenda Item 18 Executive Director Reports:

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

Julie Strandberg provided a summary of the Executive Director reports.

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

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

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

Agenda Item 9 Discussion/possible action regarding the Matter of Obteen Nassiri, DC (Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of the applicants.) – For possible action.

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

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

A. CBD

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

B. Grade V Mobilization

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

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

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

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

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

Dr. Jaeger gave an overview of the correspondence provided by the FCLB and NBCE. Dr. Lurie stated that the two conferences piggy backed off one another with a lot of discussion from attorneys on stroke related to chiropractic. The CBLAC attorneys had a panel, which Louis Ling is a part of.

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

brought recognition to Dr. Lurie for serving as the District IV Director and being a great asset to the State.

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

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

C. Other FCLB/NBCE matters

There were no other matters discussed.

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

A. Mandatory Self-Inspection report

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

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

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

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

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

D. Allow DC's to perform dry needling

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

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

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

Agenda Item 17 Committee Reports

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

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

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

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

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

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

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

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

Agenda Item 16 Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

- A. Complaint 16-11S (Colucci)**
Dr. Colucci stated that some additional information was received from the investigator and is still under investigation.
- B. Complaint 17-07S (Jaeger)**
Dr. Jaeger stated that this was finalized in the Settlement Agreement and Order with Dr. Alexander that was approved today.
- C. Complaint 17-08S (Lurie)**
Dr. Lurie stated that he and Louis Ling are in the process of finalizing the Notice of Charges to prepare for a hearing.
- D. Complaint 17-18S (Jaeger)**
Dr. Jaeger stated that the complainant is still interested in pursuing the complaint, however they are awaiting additional information from their insurance company.
- E. Complaint 17-24S (Jaeger)**
Dr. Jaeger stated that he is working with Louis Ling to prepare the Notice of Charges to prepare for a hearing.
- F. Complaint 17-25S (Martinez)**
Dr. Martinez stated that he attempted several times to contact the complainant with no return call, so Dr. Martinez recommended dismissal. Dr. Jaeger made a motion to dismiss Complaint 17-25S. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Martinez recused himself as the Investigating Board Member.
- G. Complaint 17-26S (Colucci)**
Dr. Colucci stated that this complaint is still in process.
- H. Complaint 17-28S (Lurie)**
Dr. Lurie stated that he is working with Louis Ling. Mr. Ling will be coordinating a meeting between the DC and his attorney.
- I. Complaint 17-30S (Colucci)**
Dr. Colucci stated that this complaint is still in process.
- J. Complaint 17-31S (Martinez)**
Dr. Martinez stated that this is complaint is with a chiropractic franchise. Dr. Martinez stated that he held a call with the President of the organization and included Mr. Ling, Julie Strandberg to discuss their policies and procedures

on standards of care, which they have provided per our request. Dr. Martinez stated that a call needs to be scheduled to finalize the information provided.

K. Complaint 17-33S (Jaeger)

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

L. Complaint 18-02S (Outside Investigator)

Julie Strandberg stated that this complaint was from a DC that has an open complaint against them. The complainant alleged that the IBM was taking advantage of their position on the Board with respect to their investigation. The Advantage Group conducted the investigation, which were reviewed by a former Board Member who found that the IBM was within their scope of responsibility and did not find any violations of NRS or NAC. Dr. Lurie moved to dismiss Complaint 18-02S. Dr. Colucci seconded, and the motion passed with all in favor.

M. Complaint 18-03S (Colucci)

Dr. Colucci stated that this chiropractor has been disciplined in another state and is now in Nevada seeing patients, and has accepted money, has drawn blood, advised, recommended, consulted, and provided supplements. Dr. Colucci recommended that a citation be drawn up, which Mr. Ling is preparing.

N. Complaint 18-04N (Martinez)

Dr. Martinez stated that he reached out to the complainant on three occasions without a call back. Dr. Martinez stated that after reviewing the patient's records there are several aspects to the complaint, including a workers' compensation claim alleging that the employer and DC conspired to keep it off the radar and the DC administered treatment outside their scope, however the DC is also a Nurse Practitioner. Dr. Martinez recommended to dismiss with a letter of recommendation to follow up with the Nursing Board. Dr. Lurie made a motion to dismiss Complaint 18-04N. Dr. Rovetti seconded, and the motion passed with all in favor. Dr. Martinez recused himself as the investigating board member.

O. Complaint 18-05S (Lurie)

Dr. Lurie stated that he spoke to the DC and obtained the records which are within minimum standards. Dr. Lurie spoke with the complainant who indicated that he was upset with the treatment they received from the doctor. Dr. Lurie recommended to dismiss the case with a letter to the DC reminding them of professionalism with patients. Dr. Jaeger made a motion to dismiss Complaint 18-05S. Dr. Rovetti seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the Investigating Board Member.

P. Complaint 18-06S (Jaeger)

Dr. Jaeger stated that the complainant alleged that the staff is performing CA duties absent the DC present in the office and the DC's sign and

television commercial is in violation of the CPBN's advertising rules. Dr. Jaeger stated that he has confirmed that the DC's sign is in violation. Dr. Jaeger stated that the investigation is on-going.

Q. Complaint 18-07S (Lurie)

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

R. Complaint 18-08S (Jaeger)

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

Agenda Item 19 Financial Status Reports:

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

Julie Strandberg gave an overview of the Financial Status reports.

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

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

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

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

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

B. Adopt a reserve policy

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

C. Cost savings measures and D. Improve budget process

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

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

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

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

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

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

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

Agenda Item 28 Correspondence Report – No action.

Julie Strandberg provided an overview of the CCE correspondence.

Agenda Item 29 Board Member Comments – No action.

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

July 19, 2018 CPBN Meeting Agenda

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

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

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

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

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

Agenda Item 30 Public Interest Comments – No action.

There were no public comments.

Agenda Item 31 Adjournment – For possible action.

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

Approved October 5, 2018

Xavier Martinez, DC, Secretary-Treasurer

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 July to September 2018 – For possible action**

RECOMMENDED MOTION: **Ratify granting of licenses to those who passed their examinations from July to September 2018.**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **2 minutes**

BACKGROUND INFORMATION:

July	August	September
Ronald Jospheh Russeau, DC	Jason Alan Bauer, DC	
Elisha Megan Walker, DC	Ryanne Lynne Shea-Brink, DC	

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 5** Ratification of granting of CA certificates to applicants who passed the examinations on August 9, 2018 – For possible action

RECOMMENDED MOTION: **Ratify granting of licenses to those who passed the August 9, 2018 exam.**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **2 minutes**

BACKGROUND INFORMATION:

CA Exam Pass Rate was 55%

Law Exam Pass Rate was 45%

Sergio Andres Z. Alvarez	Jane E. Dye	Estibaliz Saray Lopez
Karla Victoria Andrade	Mary Rose Evans	Kimberly Graciela Loredó
Mayra Rendon Avila	Jaqueline Betzabe Forman	Mireya Hamawi Ortiz
Heather Marie Barrett	Charmaine Therese Georopoulos	Cristy Outhone
Mirella Bovadilla	Matthew Giovanni Ghilieri	Elizabeth Lynn Peterson
Morgan Taylor Canepa	Valerie J Glover	Giovanna Sade Kimiko Reid
Kookee Kassandra Cervantes	Yolanda Herrera	Erica C. Fulton-Strang
Gianna Lyssa M. Diezmo	Saige L. Kaalekahi	Linda Marie Tolentino
Maria T. Dupont	Katya Isabel Kirkland	Krystal Monique Wright

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 5

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Dan Musgrove**

MEETING DATE: **October 5, 2018**

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 7 – Discussion/decision related to the application for DC licensure for Mark Letterman, 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. Letterman.)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 20 minutes

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

MARK BRANDON LETTERMAN, DC

Doctor of Chiropractic Degree

December 2013

Palmer College of Chiropractic

Examination

Dr. Letterman passed the National Board of Chiropractic Examiners Examination Parts I-IV and Physiotherapy in 2013.

Reason for Board Appearance

1. Dr. Letterman has not practiced chiropractic since graduating from Palmer College of Chiropractic nearly five years ago.
 - Please see Dr. Letterman's explanation regarding the circumstances in which he has not practiced.

State Licensure

Dr. Letterman does not hold Chiropractic licensure in any state.

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

Chiropractic Physicians' Board of Nevada
October 5, 2018

Brian Sandoval
Governor
JASON O. JAEGER, DC
President
MORGAN ROVETTI, DC
Vice President
XAVIER MARTINEZ, DC
Secretary-Treasurer

State Of Nevada



CHIROPRACTIC PHYSICIANS'
BOARD OF NEVADA

SEP 17 2018

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RENO, NEVADA 89502

Member
MAGGIE COLUCCI, DC
Member
TRACY DiFILLIPPO, ESQ
Consumer Member
JOHN L. BERTOLDO, ESQ
Consumer Member

JULIE STRANDBERG
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

4600 Kietzke Lane, M-245
Reno, Nevada 89502-5000
Fax (775) 688-1920

Telephone (775) 688-1921
Website: <http://chirobd.nv.gov>

Email: chirobd@chirobd.nv.gov

**CERTIFICATE OF SERVICE AND
WAVIER OF THE 21-DAY PERIOD**

I hereby certify that I have received a copy of the foregoing letter regarding my appearance before the Board at its October 5, 2018 meeting related to my application for license as a doctor of chiropractic in the State of Nevada and that I understand that by signing this Certificate of Service I acknowledge that I have received valid service and notice of the same and that the Board may proceed to consider and rule upon my matter pursuant to the Nevada Open Meeting Law.

Signed this 14th day of September, 2018.

Mark Brandon Letterman

Fax signed form to (775) 688-1920 or e-mail to chirobd@chirobd.nv.gov.

SAID BOARD MEETING TO BE HELD at the following date, time, and place:

October 5, 2018

Hearing to be conducted at 9:00 a.m.

Grant Sawyer Building

555 E. Washington Avenue, Suite 4400

Las Vegas, NV 89101

APPLICATION

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
 4600 KIETZKE LANE, SUITE M-200
 RENO, NV 89502

10#17-791942411 \$236.2
 CHIROPRACTIC PHYSICIANS'
 BOARD OF NEVADA

APPLICATION FOR LICENSE AS A DOCTOR OF CHIROPRACTIC
 IN THE STATE OF NEVADA

PLEASE ANSWER ALL QUESTIONS COMPLETELY AND TRUTHFULLY WILL RESULT IN
 OF THIS APPLICATION. THE FEES ARE NOT REFUNDABLE.

RECEIVED
 RENO, NEVADA 89502
 RESULT IN
 fp out 8/31/18



1. FULL NAME Mark Brandon Letterman AGE 37 SEX M
 (FIRST) (MIDDLE) (LAST)
2. ALIASES Brandon Letterman
3. HOME ADDRESS _____
 CITY _____ STATE _____ ZIP _____
4. MAILING ADDRESS SAME as ABOVE
 CITY _____ STATE _____ ZIP _____ WORK EMAIL _____
5. SOCIAL SECURITY NO _____ TELEPHONE NO _____
6. DATE OF BIRTH _____ PLACE OF BIRTH Milford Delaware
7. ARE YOU A UNITED STATES CITIZEN? YES NO IF YOU ANSWERED NO ARE YOU. (PLEASE CHECK ONE OF THE FOLLOWING.)
 A QUALIFIED ALIEN (AS DEFINED IN 8 U.S.C.A. § 1641).
 A NONIMMIGRANT UNDER THE IMMIGRATION AND NATIONALITY ACT (8 U.S.C.A § 1101 et seq)
 AN ALIEN WHO IS PAROLED INTO THE UNITED STATES UNDER 8 U.S.C.A. § 1182(d)(5) FOR LESS THAN ONE YEAR
 A FOREIGN NATIONAL NOT PHYSICALLY PRESENT IN THE UNITED STATES
 OTHER - PLEASE PROVIDE DETAILED EXPLANATION.
8. RESIDENT OF THE STATE OF NEVADA? IF YES, HOW LONG? 5 Years
9. DO YOU HAVE A NEVADA BUSINESS LICENSE? YES _____ NO IF YES, PROVIDE YOUR LICENSE NUMBER _____
10. HAVE YOU EVER SERVED IN THE MILITARY? YES _____ NO DATES OF SERVICE: FROM _____ TO _____
 BRANCH(ES) OF SERVICE _____
11. HAVE YOU EVER SERVED ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES AND SEPARATED FROM SUCH SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE? YES _____ NO
12. HAVE YOU EVER BEEN ASSIGNED TO DUTY FOR A MINIMUM OF 6 CONTINUOUS YEARS IN THE NATIONAL GUARD OR A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES AND SEPARATED FROM SUCH SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE? YES _____ NO
13. HAVE YOU EVER SERVED THE COMMISSIONED CORPS OF THE UNITED STATES PUBLIC HEALTH SERVICE OR THE COMMISSIONED CORPS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OF THE UNITED STATES IN THE CAPACITY OF A COMMISSIONED OFFICER WHILE ON ACTIVE DUTY IN DEFENSE OF THE UNITED STATES AND SEPARATED FROM SUCH SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE? YES _____ NO
14. RESIDENCE ADDRESSES FOR PAST FIVE (5) YEARS 575 Newberry Springs Dr Las Vegas NV 89148
1181 Sundad St Las Vegas NV 89119
15. NAMES AND ADDRESSES OF ALL EMPLOYERS FOR PAST FIVE (5) YEARS Halskman Group 6385 S. RAINBOW Blvd
Suite 800 Las Vegas NV 89118, SBE 5900 Wilshire Blvd. 31st Floor, Los
Angels CA 90036

STOP Please read questions #16 through #18 carefully. If you have any questions please contact the Board

16. HAVE YOU EVER HAD DISCIPLINARY ACTION BROUGHT AGAINST YOU BY A STATE BOARD OR ANY OTHER GOVERNMENTAL AGENCY, OR IS THERE ANY SUCH ACTION NOW PENDING? YES NO IF YES. GIVE DETAILS AND FINAL DISPOSITION:

17. HAVE YOU EVER BEEN ARRESTED 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: _____

18. HAVE YOU EVER BEEN CONVICTED OF A CRIME OTHER THAN A TRAFFIC VIOLATION (INCLUDE ANY DUI'S)? NOTE: EVEN IF YOU HAVE HAD RECORDS SEALED AND YOU HAVE BEEN TOLD THAT YOUR FILE HAS BEEN CLEARED, YOU MUST REPORT THIS INFORMATION, INCLUDING JUVENILE RECORDS. YES NO IF YES, GIVE DETAILS AND FINAL DISPOSITION: _____

19. HAVE YOU EVER DEFAULTED ON A HEAL (HEALTH EDUCATION ASSISTANCE LOAN)? YES NO IF YES, GIVE DETAILS AND CURRENT STATUS: _____

20. REGARDING CHILD SUPPORT, MARK THE APPROPRIATE RESPONSE (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 I AM IN COMPLIANCE WITH A PLAN APPROVED BY THE DISTRICT ATTORNEY OR OTHER PUBLIC AGENCY ENFORCING THE ORDER FOR THE REPAYMENT OF THE AMOUNT OWED PURSUANT TO THE ORDER.
- I AM SUBJECT TO A COURT ORDER FOR THE SUPPORT OF ONE OR MORE CHILDREN AND AM NOT IN COMPLIANCE WITH THE ORDER OR A PLAN APPROVED BY THE DISTRICT ATTORNEY OR OTHER PUBLIC AGENCY ENFORCING THE ORDER FOR THE REPAYMENT OF THE AMOUNT OWED PURSUANT TO THE ORDER.

21. REGARDING CHILD ABUSE, THE FOLLOWING MUST BE READ AND INITIALED:

I HAVE BEEN INFORMED THAT I AM REQUIRED BY LAW TO REPORT THE ABUSE OR NEGLECT OF A CHILD TO AN AGENCY THAT PROVIDES CHILD WELFARE SERVICES OR TO A LAW ENFORCEMENT AGENCY NO LATER THAN 24 HOURS AFTER I KNEW OR HAD REASONABLE CAUSE TO BELIEVE THE CHILD HAD BEEN ABUSED OR NEGLECTED.

Please initial here where acknowledged in that you have read and understood the above information: [Signature] Date: 1/8

22. HAVE YOU EVER BEEN DRUG OR ALCOHOL DEPENDENT AND/OR ENROLLED IN A DRUG OR ALCOHOL REHABILITATION PROGRAM? YES NO IF YES, GIVE DETAILS: _____

23. ARE YOU CURRENTLY WORKING FOR A NEVADA LICENSED CHIROPRACTOR? YES NO IF YES, GIVE LICENSEE'S NAME AND ADDRESS: _____
DATE EMPLOYED: _____ DUTIES PERFORMED: _____

24. LIST ALL SCHOOLS ATTENDED (HIGH SCHOOL THROUGH CHIROPRACTIC COLLEGE):

NAME OF SCHOOL	DATES ATTENDED	DATE GRADUATED	DEGREE
St Marks High School	1995-1999	6/99	Diploma
University of Delaware	2000-2002	6/02	B.S
Palmer College of Chiropractic Florida	9/2010-12/2013	12/2013	D.C.

25. NUMBER OF CHIROPRACTIC COLLEGE HOURS 4000 DATE OF D.C. DEGREE 12/2013

26. HAVE YOU PASSED NATIONAL BOARD: PART I PART II PART III PART IV PT SPEC _____

27. IF YOU ANSWERED "NO" TO PART IV AND SPEC, YOU MUST GIVE DATE YOU ARE SCHEDULED FOR ONE OF THE FOLLOWING EXAMS: PART IV: _____ or SPEC: _____

28. LIST ANY STATES IN WHICH YOU HAVE APPLIED FOR (WHETHER ISSUED OR NOT) AND WHICH YOU HAVE BEEN GRANTED CHIROPRACTIC LICENSURE:

STATE

DATE OF ISSUANCE

STATUS



Please read the Affidavit carefully.

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 WILL NOTIFY THE CPBN OF ANY AND ALL CHANGES TO THE INFORMATION IN THIS APPLICATION, INCLUDING CHANGES OF ADDRESS AND THAT HE/SHE HAS OTHERWISE MET ALL STATUTORY REQUIREMENTS AND BELIEVES HIM/HERSELF ELIGIBLE FOR LICENSURE TO PRACTICE CHIROPRACTIC, AND THAT HE/SHE HAS READ AND UNDERSTANDS THIS AFFIDAVIT.

8/23/18
(DATE)

[Signature]
(SIGNATURE OF APPLICANT)

, D.C.

STATE OF Nevada COUNTY OF Clark

SIGNED AND SWORN TO BEFORE ME ON THIS 23 DAY OF August, 20 18

[Signature]
(NOTARY PUBLIC)

SEAN M. CHILDERS
Notary Public - State of Nevada
County of Clark
APPT. NO. 17-4145-1
My App. Expires Nov. 1, 2021

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

4600 Kietzke Lane, Suite M-245, Reno, NV 89502

Telephone (775) 688-1921 - Fax (775) 688-1920

MORAL CHARACTER REFERENCE INFORMATION FOR
APPLICANT FOR LICENSURE AS A DOCTOR OF CHIROPRACTIC

Please identify three (3) references who have known you for at least three (3) years and complete all information requested. List one licensed DC or Professor at a school of Chiropractic and two individual character references. Please note, the Board may contact the names below to answer any questions regarding your moral turpitude or your application for Doctor of Chiropractic in the State of Nevada.

DC Applicant Name: <u>Mark Brandon Letterman</u>
Address: <u>2621 Via Firenze Henderson NV 89044</u>

DC or Professor: Dr Daniel Shultz

Address: 9775 South Maryland Pkwy Suite A Las Vegas NV 89183

Phone Number: 702 837 0392

Email: _____

Individual: Dr. Beth Reddy

Relationship: Friend, Fellow Palmer (FL) graduate

Address: 721 Swaying Pine Laway Deland FL 3272

Phone Number: 386-801-7014

Email: 124beth@gmail.com

Individual: Dr. Leigh Ann Jasinnas

Relationship: Friend, Fellow Palmer (FL) graduate

Address: 228 Iron Lake Dr Exton Pa 19341

Phone Number: (302) 561 5246

Email: Dr.Jasinnas@gmail.com

**Dr. Letterman's explanation regarding why he
has not practiced Chiropractic in five years**

CHIROPRACTIC PHYSICIANS'
BOARD OF NEVADA

AUG 31 2018

Chiropractic Physicians' Board of Nevada

RECEIVED
RENO, NEVADA 89502

There are several reasons why I have not practiced chiropractic for the past five years. First and foremost was after graduating in December 2013 I was completely burnt out. In addition to being burnt out I was massively in debt. Since I was unable to secure a small business loan with \$241,000.00 in student loan debt and no current income opening my own practice was entirely out of the question. My other option was to work as an associate which in my mind was not really an option and here's why. Before I went to chiropractic school I was a nightclub bartender here in Las Vegas for many years. I always knew I could go back to that profession and it made sense to do so after graduation. Bartending was not only more lucrative than being a first year chiropractor but it also provided full medical benefits, vacation, and a flexible schedule. After graduation I saw a large number of my classmates become associates and absolutely hate it. Some stuck with it longer than others. The few who had good experiences either remained associates or used it as a stepping stone to eventually open their own practice. However I can literally only think of 3 people in my graduating class of 78 that reached the level of success all of us hoped to achieve after graduating. It's now five years later and some students have left the profession all together and others are still struggling as associates to make a living because they are both underpaid and buried in student loan debt. So my decision was easy, step away from the profession to get back on my feet financially and when/if I decided to practice I would.

So why have I decided to practice now? Eight months ago I herniated two lumbar discs leaving me with terrible low back and hip pain. After months of treatment I wasn't getting much better. I knew Decompression or F&D would help tremendously but the chiropractic office I was going to didn't have either. At the same time I was getting physical therapy for a labral tear in my shoulder. One day I mentioned to the P.T. that my back and hip were killing me and he diagnosed me with a hip contracture due to very weak hip extensors and external rotators. So I had two issues going on simultaneously but had only been treating one. I was now spending a lot of time and money driving across town from one office to another to treat each condition because my chiropractor's office didn't have the equipment to perform physical therapy. I was getting only mildly better and not nearly as fast I had hoped given my treatment frequency. I started thinking of other options to complement my treatment approach and acupuncture came to mind. I had great success with acupuncture in the past treating a stomach parasite so I

asked my chiropractor about it. He explained that D.C.'s can't perform acupuncture in Nevada without an additional degree in oriental medicine. He also mentioned that there was a school here in Nevada. I contacted that school and made an appointment to get treated in the clinic. During this time I was driving one day when I remembered something I had read/heard somewhere which was, "Be the change you want to see in the world". That made me realize how great it would be to have an office that offered chiropractic, physical therapy, and acupuncture all in one location. That day I contacted Wongu's School of Oriental Medicine just to inquire what it would take to obtain their degree. Learning it was a four year program was a little discouraging at first but once I went to the clinic and received treatment from a student intern I knew it was something I wanted to learn. In addition to learning Acupuncture, Herbology, and Oriental Medicine, the program requires 1000 hours of clinical training. So beyond learning new techniques to use in practice I would get a lengthy refresher course in working in a clinical setting. It did and still does seem like an ideal opportunity. I am currently in the process of enrolling for the fall semester at Wongu. In the meantime, I have also obtained permission from my chiropractor Dr. Daniel Shultz and my physical therapist Dr. Robert Donatelli to shadow them at any time to observe how they perform new patient exams and implement treatment protocols. So while I am applying for my license now, I don't anticipate practicing on my own for several years. However, if during the next four years I decide that bartending at night is no longer working with my school schedule or I'm just ready to move on, having my license provides me with some additional options.

Sincerely,

Brandon Letterman

8-31-18

A handwritten signature in black ink, appearing to be 'Brandon Letterman', with a long horizontal line extending to the right.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 8 Discussion/decision related to the application for DC licensure for Jessica McKelvey, 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. McKelvey)

RECOMMENDED MOTION: No recommendation.

PRESENTED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 20 minutes

BACKGROUND INFORMATION: Please see the attached application for DC licensure and supporting documentation.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 8

JESSICA RUTH MCKELVEY, DC

Doctor of Chiropractic Degree February 27, 2009 Palmer College of Chiropractic

Examination

Dr. McKelvey passed the National Board of Chiropractic Examiners Examination Parts I-IV and Physiotherapy in 2009.

Reason for Board Appearance

1. Dr. McKelvey has not practiced chiropractic since graduating from Palmer College of Chiropractic over nine years ago.
 - Please see Dr. McKelvey's explanation regarding the circumstances in which she has not practiced.

State Licensure

Dr. McKelvey holds Expired Chiropractic licensure in Michigan and Tennessee 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
October 5, 2018***

APPLICATION



CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
4600 KIETZKE LANE, SUITE M-245
RENO, NV 89502

C141544
 \$236.25

CHIROPRACTIC PHYSICIANS'
 BOARD OF NEVADA

APPLICATION FOR LICENSE AS A DOCTOR OF CHIROPRACTIC
IN THE STATE OF NEVADA

AUG 13 2018

WARRANTY TO ANSWER ALL QUESTIONS COMPLETELY AND TRUTHFULLY
DENIAL OF THIS APPLICATION. THE FEES ARE NOT REFUNDABLE.

RECEIVED
 ILB RESULTS NVDA 89502

act 8/17/18

PRINT OR TYPE:

1. FULL NAME Jessica Ruth McKelvey AGE 34 SEX female
(FIRST) (MIDDLE) (LAST)
2. ALIASES Jessica Ruth Bennett
3. HOME ADDRESS _____
 CITY _____ STATE _____ ZIP _____
4. MAILING ADDRESS 2233 Las Vegas Blvd S Rm 227
 CITY Las Vegas STATE _____ ZIP 89104 WORK EMAIL _____
5. SOCIAL SECURITY NO. _____ TELEPHONE NO. _____
6. DATE OF BIRTH _____ PLACE OF BIRTH Port Huron, MI
7. ARE YOU A UNITED STATES CITIZEN? YES NO _____ IF YOU ANSWERED NO ARE YOU: (PLEASE CHECK ONE OF THE FOLLOWING.)
 A QUALIFIED ALIEN (AS DEFINED IN 8 U.S.C.A. § 1641).
 A NONIMMIGRANT UNDER THE IMMIGRATION AND NATIONALITY ACT (8 U.S.C.A. § 1101 et seq).
 AN ALIEN WHO IS PAROLED INTO THE UNITED STATES UNDER 8 U.S.C.A. § 1182(d)(5) FOR LESS THAN ONE YEAR.
 A FOREIGN NATIONAL NOT PHYSICALLY PRESENT IN THE UNITED STATES.
 OTHER - PLEASE PROVIDE DETAILED EXPLANATION.
8. RESIDENT OF THE STATE OF NEVADA? IF YES, HOW LONG? 2 years in Nov. 2017
9. DO YOU HAVE A NEVADA BUSINESS LICENSE? YES _____ NO IF YES, PROVIDE YOUR LICENSE NUMBER _____
10. HAVE YOU EVER SERVED IN THE MILITARY? YES _____ NO DATES OF SERVICE: FROM _____ TO _____
 BRANCH(ES) OF SERVICE _____
11. HAVE YOU EVER SERVED ON ACTIVE DUTY IN THE ARMED FORCES OF THE UNITED STATES AND SEPARATED FROM SUCH SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE? _____ YES NO
12. HAVE YOU EVER BEEN ASSIGNED TO DUTY FOR A MINIMUM OF 6 CONTINUOUS YEARS IN THE NATIONAL GUARD OR A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES AND SEPARATED FROM SUCH SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE? _____ YES NO
13. HAVE YOU EVER SERVED THE COMMISSIONED CORPS OF THE UNITED STATES PUBLIC HEALTH SERVICE OR THE COMMISSIONED CORPS OF THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION OF THE UNITED STATES IN THE CAPACITY OF A COMMISSIONED OFFICER WHILE ON ACTIVE DUTY IN DEFENSE OF THE UNITED STATES AND SEPARATED FROM SUCH SERVICE UNDER CONDITIONS OTHER THAN DISHONORABLE? _____ YES NO
14. RESIDENCE ADDRESSES FOR PAST FIVE (5) YEARS
① 2233 Las Vegas Blvd S, Rm 227, Las Vegas, NV 89102
② 5820 E. Mortimer Line Rd, Crosswell, MI 48422 ③ Oakwood Commons, 3700 Curry Ford Rd., Orlando, FL 32806
15. NAMES AND ADDRESSES OF ALL EMPLOYERS FOR PAST FIVE (5) YEARS
① Nevada Rehabilitation Centers, 2851 W. Tropic Way, Suite 103, Las Vegas, NV 89128
② South Park Chiropractic, 8809 Commodore Cir, Orlando, FL 32819
③ Disney World - Epcot, 200 Epcot Center Dr, Orlando, FL 32521
16. HAVE YOU EVER HAD DISCIPLINARY ACTION BROUGHT AGAINST YOU BY A STATE BOARD OR A Y OTHER GOVERNMENTAL AGENCY, OR IS THERE ANY SUCH ACTION NOW PENDING? YES NO _____ IF YES, GIVE DETAILS AND FINAL DISPOSITION: _____

17. HAVE YOU EVER BEEN ARRESTED and OR CHARGED WITH ANY CRIME OTHER THAN A . . .AFFIC 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: _____
18. HAVE YOU EVER BEEN CONVICTED OF A CRIME OTHER THAN A TRAFFIC VIOLATION (INCLUDE ANY DUI'S)? NOTE: EVEN IF YOU HAVE HAD RECORDS SEALED AND YOU HAVE BEEN TOLD THAT YOUR FILE HAS BEEN CLEARED, YOU MUST REPORT THIS INFORMATION, INCLUDING JUVENILE RECORDS. YES NO IF YES, GIVE DETAILS AND FINAL DISPOSITION: _____
19. HAVE YOU EVER DEFAULTED ON A HEAL (HEALTH EDUCATION ASSISTANCE LOAN)? YES NO IF YES, GIVE DETAILS AND CURRENT STATUS: _____

20. REGARDING **CHILD SUPPORT**, MARK THE APPROPRIATE RESPONSE (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 I AM IN COMPLIANCE WITH A PLAN APPROVED BY THE DISTRICT ATTORNEY OR OTHER PUBLIC AGENCY ENFORCING THE ORDER FOR THE REPAYMENT OF THE AMOUNT OWED PURSUANT TO THE ORDER.
- I **AM** SUBJECT TO A COURT ORDER FOR THE SUPPORT OF ONE OR MORE CHILDREN AND **AM NOT** IN COMPLIANCE WITH THE ORDER OR A PLAN APPROVED BY THE DISTRICT ATTORNEY OR OTHER PUBLIC AGENCY ENFORCING THE ORDER FOR THE REPAYMENT OF THE AMOUNT OWED PURSUANT TO THE ORDER.

21. REGARDING **CHILD ABUSE**, THE FOLLOWING **MUST BE READ AND INITIALED**:

I HAVE BEEN INFORMED THAT I AM REQUIRED BY LAW TO REPORT THE ABUSE OR NEGLECT OF A CHILD TO AN AGENCY THAT PROVIDES CHILD WELFARE SERVICES OR TO A LAW ENFORCEMENT AGENCY NO LATER THAN 24 HOURS AFTER I KNEW OR HAD REASONABLE CAUSE TO BELIEVE THE CHILD HAD BEEN ABUSED OR NEGLECTED.

Please initial here thereb *acknowled in that ou have read and understood the above information:*

Date: 8-8-2018

22. HAVE YOU EVER BEEN DRUG OR ALCOHOL DEPENDENT AND/OR ENROLLED IN A DRUG OR ALCOHOL REHABILITATION PROGRAM? YES NO IF YES, GIVE DETAILS: _____

23. ARE YOU CURRENTLY WORKING FOR A NEVADA LICENSED CHIROPRACTOR? YES NO IF YES, GIVE LICENSEE'S NAME AND ADDRESS: Sean M. Dunleavy, 2851 N Temp (w/104 suite) 103 Las NV, 89128
 DATE EMPLOYED: 05/12/2016 DUTIES PERFORMED: consultation, Edms, X-ray tech, her istp

24. LIST ALL SCHOOLS ATTENDED (HIGH SCHOOL THROUGH CHIROPRACTIC COLLEGE):

NAME OF SCHOOL	DATES ATTENDED	DATE GRADUATED	DEGREE
<u>Cros-Lex</u>	<u>SEPT 1998 - June 2002</u>	<u>June 2002</u>	<u>Diploma</u>
<u>Siena Heights University</u>	<u>Sept. 2002 - June 2005</u>		<u>90 credit hrs.</u>
<u>Palmer College of Chiropractic</u>	<u>Oct. 2005 - Feb. 2009</u>		<u>D.C., B.S.</u>

25. NUMBER OF CHIROPRACTIC COLLEGE HOURS 4,740 hrs., 316 credits DATE OF D.C. DEGREE 2-27-2009

26. HAVE YOU PASSED NATIONAL BOARD: PART I PART II PART III PART IV PT SPEC NO

27. IF YOU ANSWERED "NO" TO PART IV AND SPEC, YOU MUST GIVE DATE YOU ARE SCHEDULED FOR ONE OF THE FOLLOWING

EXAMS: PART IV: _____ or SPEC: _____

28. LIST ANY STATES IN WHICH YOU HAVE APPLIED FOR (WHETHER ISSUED OR NOT) AND IN WHICH YOU HAVE BEEN GRANTED CHIROPRACTIC LICENSURE:

STATE
Michigan
Tennessee

DATE OF ISSUANCE
April 1, 2009
Sept. 18, 2009

STATUS
Lapsed
Expired

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 WILL NOTIFY THE CPBN OF ANY AND ALL CHANGES TO THE INFORMATION IN THIS APPLICATION, INCLUDING CHANGES OF ADDRESS AND THAT HE/SHE HAS OTHERWISE MET ALL STATUTORY REQUIREMENTS AND BELIEVES HIM/HERSELF ELIGIBLE FOR LICENSURE TO PRACTICE CHIROPRACTIC, AND THAT HE/SHE HAS READ AND UNDERSTANDS THIS AFFIDAVIT.

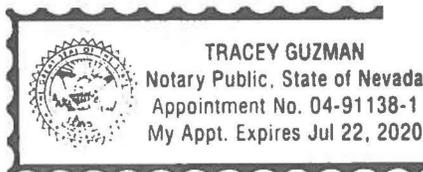
8-9-18
(DATE)

Genia R. McKeel, D.C.
(SIGNATURE OF APPLICANT)

STATE OF Nevada COUNTY OF Clark

SIGNED AND SWORN TO BEFORE ME ON THIS 9 DAY OF August, 20 18

Tracey Guzman
(NOTARY PUBLIC)



COMPLETE AND RETURN TO:

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

4600 Kietzke Lane, Suite M-245, Reno, NV 89502
Telephone (775) 688-1921 ~ Fax (775) 688-1920

**MORAL CHARACTER REFERENCE INFORMATION FOR
APPLICANT FOR LICENSURE AS A DOCTOR OF CHIROPRACTIC**

Please identify three (3) references who have known you for at least three (3) years and complete all information requested. List one licensed DC or Professor at a school of Chiropractic and two individual character references. Please note, the Board may contact the names below to answer any questions regarding your moral turpitude or your application for Doctor of Chiropractic in the State of Nevada.

DC Applicant Name: <u>Jessica R. McKelvey</u>
Address: <u>2233 Las Vegas Blvd. S. Rm 227</u>
<u>Las Vegas, NV 89104</u>

DC or Professor: Timothy Grondin, D.C., Total Health Chiropractic
Address: 1831 Pine Grove, Ave., Port Huron, MI 48060
Phone Number: 1-810-984-3344
Email: docgrondin@gmail.com

Individual: Timothy C. McKelvey
Relationship: Husband

Address: 2233 Las Vegas BLVD . S. Rm 227, Las Vegas, NV 89104
Phone Number: 702-844-172
Email: tmckel33@gmail.com

Individual: Marianne McLead
Relationship: Grandmother-in-law
Address: 2652 Military St., Port Huron, MI 48060
Phone Number: 810-294-5553
Email: N/A

**Dr. McKelvey's explanation regarding why she
has not practiced Chiropractic in nine years**

Brett Canad

From: Jessica with NRC <jess@nevadarehabcenters.com>
Sent: Friday, August 31, 2018 7:42 AM
To: Brett Canady
Subject: RE: Application for DC: addendum

Ms. Brett Canady,

I graduated from Palmer Chiropractic College in 2009. I looked for a suitable associate position while I was living in the state of Michigan throughout that year. I also applied for a D.C. license in the state of T.N. where job positions in the chiropractic field seemed more abundant. I continued my search in 2010. I met my future husband in 2010 and children soon followed along with a major death in our family in 2015. My career aspirations were temporarily set to the side to care for my 3 children and husband whose health has declined the past few years. I have not practiced since I graduated but I have stayed in the field and have kept my skills sharp. I worked as an associate doctor (working toward a license in F.L.) doing all the work of a D.C. except adjusting patients. I worked in MI as a chiropractic assistant performing consultations, examinations, and taking x-rays. I have spent the past 2 years working as a chiropractic assistant and learning from the D.C. I work with. My current place of employment, Nevada Rehab Centers, has helped me apply for licensure and has provided a place where I can continue my journey as a D.C. and practice with multiple mentoring D.C.'s. I have put down roots here and want to practice Chiropractic because I believe in it and want to help people achieve health and wellness.

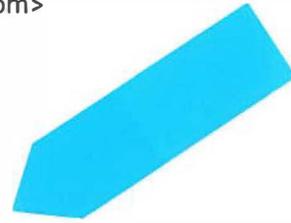
From: Brett Canady [mailto:CPBN@chirobd.nv.gov]
Sent: Wednesday, August 29, 2018 11:34 AM
To: jess@nevadarehabcenters.com
Subject: Application for DC

Dr. McKelvey,
Please see attached letter regarding the current status of your DC application.

Ms. Brett Canady
Licensing Specialist
Chiropractic Physicians' Board of Nevada
4600 Kietzke Ln. M-245
Reno, NV 89502
775-688-1921
775-688-1920 Facsimile

Julie Strandberg

From: Jessica with NRC <jess@nevadarehabcenters.com>
Sent: Wednesday, September 19, 2018 12:46 PM
To: Julie Strandberg
Subject: RE: Competency Verification



Dear Julie,

The last time I performed a chiropractic adjustment was in my last trimester at Palmer College of Chiropractic under the supervision of a licensed chiropractor. Even though I have not practiced since graduation, I have been working in the chiropractic field under experienced doctors and learning from them. I will continue to work as a chiropractic assistant for Nevada Rehab Centers when I get my D.C. license here in Nevada. I will be adjusting part-time as needed to cover sick days and vacation time. I will be under the supervision and tutelage of Dr.'s Sean Dunleavy and Ian Yamane. They are committed to helping me become an excellent doctor and develop my adjusting skills.

Sincerely,

Dr. Jessica McKelvey

From: Julie Strandberg [mailto:chirobd@chirobd.nv.gov]
Sent: Friday, September 14, 2018 11:14 AM
To: jess@nevadarehabcenters.com
Cc: Julie Strandberg
Subject: Competency Verification

Hi Dr. McKelvey,

Please see the attached follow-up letter, which has also been sent via certified mail. You may respond to this email.

Best Regards,
Julie Strandberg
Executive Director
Chiropractic Physicians Board of Nevada
775-688-1923
Fax 775-688-1920

BRIAN SANDOVAL
Governor
JASON O. JAEGER, DC
President
MORGAN ROVETTI, DC
Vice President
XAVIER MARTINEZ, DC
Secretary-Treasurer

STATE OF NEVADA



BENJAMINS. LURIE, DC
Member
MAGGIE COLUCCI, DC
Member
TRACY DiFILLIPPO, ESQ
Consumer Member
JOHN L. BERTOLDO, ESQ
Consumer Member

JULIE STRANDBERG
Executive Director

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

4600 Kietzke Lane, M-245
Reno, Nevada 89502-5000
Fax (775) 688-1920

Telephone (775) 688-1921
Website: <http://chirobd.nv.gov>

Email: chirobd@chirobd.nv.gov

**CERTIFICATE OF SERVICE AND
WAVIER OF THE 21-DAY PERIOD**

I hereby certify that I have received a copy of the foregoing letter regarding my appearance before the Board at its October 5, 2018 meeting related to my application for license as a doctor of chiropractic in the State of Nevada and that I understand that by signing this Certificate of Service I acknowledge that I have received valid service and notice of the same and that the Board may proceed to consider and rule upon my matter pursuant to the Nevada Open Meeting Law.

Signed this 20 day of September, 2018.

A handwritten signature in cursive script that reads "Jessica R. McKelvey".

JESSICA RUTH MCKELVEY

Fax signed form to (775) 688-1920 or e-mail to chirobd@chirobd.nv.gov.

SAID BOARD MEETING TO BE HELD at the following date, time, and place:

October 5, 2018

Hearing to be conducted at 9:20 a.m.

Grant Sawyer Building

555 E. Washington Avenue, Suite 4400

Las Vegas, NV 89101

CHIROPRACTIC PHYSICIANS'
BOARD OF NEVADA

SEP 24 2018

RECEIVED
RENO, NEVADA 89502

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 9 Discussion/possible 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

MEETING DATE: October 5, 2018

TIME REQUIRED: 15 minutes

BACKGROUND INFORMATION: Dr. Overland appeared at the Board's July 19, 2018 meeting and indicated that he would return to the next Board meeting to report on his actions to complete his application for licensure.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 10 – Discussion/decision regarding a DC applicant's concerns regarding the jurisprudence examination. - For possible action

RECOMMENDED MOTION: Approve Dr. Lurie's recommendation.

PRESENTED BY: Benjamin Lurie, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 10 minutes

BACKGROUND INFORMATION: Following an applicant taking and failing the Nevada DC jurisprudence exam they expressed concerns with the examination.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Julie Strandberg

From: Benjamin S. Lurie
Sent: Thursday, September 13, 2018 2:28 PM
To: Julie Strandberg
Cc: Louis Ling
Subject: Re: DC Exam Questions

Julie,

I have read and reviewed the questions you forward regarding the test of Dr Silver and the questions he has pertaining to certain test questions. Unfortunately at this time, the answers to the questions he answered incorrectly are spelled out clearly in the NRS 634 and NAC 634 as you have provided. The question's regarding "Grace Period" is again, actually understood when you read the NAC 634 regarding renewal of licensure. Your license is due on Dec, 31, 2018 at 11:59 pm and 59 seconds. Therefore, it is understood there is NO grace period. Each question was carefully reviewed and each answer was carefully considered by myself.

At this time, I am not recommending this come before the board and Dr. Silver would be required to take the examination again either in person to score a 75% or better or he may retake online with open book and score a 90% or better to obtain his incense to practice here in the State of Nevada.

Test are given to test the knowledge of the testers ability to read and understand the Nevada Statutes and Regulations regarding Chiropractic in the State of Nevada.

If you have any further questions, please let me know.

Dr. Benjamin S. Lurie
Chiropractic Physician

Member - Chiropractic Physicians Board of Nevada
4600 Kietzke Lane, Suite M-245
Reno, NV 89502
(O) 775-688-1921
(F) 775-688-1920
(C) 702-236-8500
www.chirobd.nv.gov

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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

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

PRESENTED BY: **James Overland, DC**

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 12** NCC Report – No action

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

PRESENTED BY: **Andrea Waller, Executive Director**

MEETING DATE: **October 5, 2018**

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 13 Board Counsel Report – No action.**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Louis Ling**

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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

- A. Overview of District I & IV Meeting – Palm Springs, CA**
- B. Other FCLB/NBCE matters**

RECOMMENDED MOTION: **No recommendation.**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15 Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action.

RECOMMENDED MOTION: No recommendation

PRESENTED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 60 minutes

BACKGROUND INFORMATION:

- A. Complaint 16-11S (Colucci)
- B. Complaint 17-08S (Lurie)
- C. Complaint 17-18S (Jaeger)
- D. Complaint 17-24S (Jaeger)
- E. Complaint 17-26S (Colucci)
- F. Complaint 17-28S (Colucci)
- G. Complaint 17-30S (Colucci)
- H. Complaint 17-31S (Martinez)
- I. Complaint 18-03S (Colucci)
- J. Complaint 18-06S (Jaeger)
- K. Complaint 18-07S (Lurie)
- L. Complaint 18-09S (Rovetti)
- M. Complaint 18-10N (Martinez)
- N. Complaint 18-11S (Jaeger)
- O. Complaint 18-12S (Jaeger)
- P. Complaint 18-13S (Rovetti)
- Q. Complaint 18-14S (Rovetti)
- R. Complaint 18-15S (Jaeger)

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15A Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

A. Complaint 16-11S (Dr. Colucci)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15B Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

B. Complaint 17-08S (Dr. Lurie)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Ben Lurie, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15B

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15C Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

C. Complaint 17-18S (Dr. Jaeger)

RECOMMENDED MOTION: No recommendation

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15C

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15D Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

D. Complaint 17-24S (Dr. Jaeger)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleged that the DC conducted chiropractic outside the hours of operation of the clinic to which the services have not been documented in the point of sale system or patient record system, so there is no evidence that payment was made. In addition, the DC allegedly distributed Marijuana out of the clinic. This complaint has evolved from the original complaint and is pending a criminal matter.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15E Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

E. Complaint 17-26S (Dr. Colucci)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15E

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15F Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

F. Complaint 17-28S (Dr. Colucci)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15G Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

G. Complaint 17-30S (Dr. Colucci)

RECOMMENDED MOTION: Recommend dismissal.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleged fraudulent billing.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15G

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15H Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

H. Complaint 17-31S (Dr. Martinez)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Xavier Martinez, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15I Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

I. Complaint 18-03S (Dr. Colucci)

RECOMMENDED MOTION: Place in Dormant status.

PREPARED BY: Maggie Colucci, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: Alleged unlicensed practice.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15I

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15J Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

J. Complaint 18-06S (Dr. Jaeger)

RECOMMENDED MOTION: Recommend Dismissal.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 2 minutes

BACKGROUND INFORMATION: The complainant alleges that staff is performing CA duties absent the DC being present in the office. They also allege that the signage violates NAC as well as a commercial on TV.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15J

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15K Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

K. Complaint 18-07S (Dr. Lurie)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Ben Lurie, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleges that the DC initially gave him a PPD rating, however after having a discussion with the insurance company the DC changed the PPD rating.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15K

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15L Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

L. Complaint 18-09S (Dr. Rovetti)

RECOMMENDED MOTION: No recommendation

PREPARED BY: Morgan Rovetti, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The complainant alleged that they were over-charged and that the DC and the attorney are in collusion.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15L

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15M Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

M. Complaint 18-10S (Dr. Martinez)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Xavier Martinez, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15N Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

N. Complaint 18-11S (Dr. Jaeger)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: Legality of a non-licensed DC performing peer reviews on Nevada DC's.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15N

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 150 Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

O. Complaint 18-12S (Dr. Jaeger)

RECOMMENDED MOTION: Dismissal.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: Legality of a non-licensed DC performing peer reviews on Nevada DC's.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 150

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15P Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

P. Complaint 18-13S (Dr. Rovetti)

RECOMMENDED MOTION: No recommendation

PREPARED BY: Morgan Rovetti, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: This complaint originated with Farmers Insurance through the National Insurance Crime Bureau with respect to a Physical Therapy group. The concern was the charges and the use of billing codes and what appears to possibly be a chiropractic adjustment.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15Q Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

Q. Complaint 18-14S (Dr. Rovetti)

RECOMMENDED MOTION: No recommendation

PREPARED BY: Morgan Rovetti, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: During a DC's appearance before the Board he stated that he had been practicing chiropractic while his license has been revoked. A citation has been served.

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15Q

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 15R Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

R. Complaint 18-15S (Dr. Jaeger)

RECOMMENDED MOTION: No Recommendation.

PREPARED BY: Jason O. Jaeger, DC

MEETING DATE: October 5, 2018

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: Complainant alleged that a DC is allowing staff to perform duties in the office while they are absent.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15R

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 16** 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. Lurie) – For possible action.**

RECOMMENDED MOTION: **No recommendation**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 17 Reassign Committees - For possible action**

- A. Continuing Education Committee**
- B. Legislative Committee**
- C. Preceptorship Committee**
- D. Test Committee**

RECOMMENDED MOTION: **No recommendation**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 17

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 18** – 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: **October 5, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Complaint No.	Date Received	Investigator	Nature of Complaint	Current Status	Costs To Date
16-11S	9/7/2016	Colucci	Erroneous records and billings	Under investigation	\$2,441.68
17-08S	3/3/2017	Lurie	Alleged misconduct	Under investigation	\$1,050.00
17-18S	6/21/2017	Jaeger	Alleged unprofessional conduct and over-billing	Under investigation	
17-24S	8/9/2017	Jaeger	Alleged unprofessional conduct	Under investigation	\$685.00
17-26S	8/10/2017	Colucci	Alleged unprofessional conduct	Pending vote for dismissal	
17-28S	9/12/2017	Colucci	Failure to report malpractice claim	Under investigation	
17-30S	10/16/2017	Colucci	Alleged fraudulent billing	Pending vote for dismissal	
17-31S	10/19/2017	Martinez	Business structure	Pending Report	
18-03S	2/20/2018	Colucci	Alleged unlicensed practice	Pending vote to place in dormant status	\$672.00
18-06S	6/22/2018	Jaeger	Alleged advertising violation and unprofessional conduct.	Under investigation	
18-07S	7/9/2018	Lurie	Alleged that the DC changed their PPD rating after a discussion with the insurance adjuster.	Under investigation	
18-09S	7/23/2018	Rovetti	Alleged that the attorney and the DC are in collusion	Under investigation	
18-10N	8/7/2018	Martinez	Alleged malpractice	Pending Settlement Agreement	
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	
18-14S	7/19/2018	Rovetti	During the DC's appearance before the Board he stated that he had been practicing chiropractic while his license was revoked.	Citation served	\$762.99
18-15S	9/25/2018	Jaeger	Allegedly allowing staff to perform duties while absent from the office	Under investigation	

<u>Complaint No.</u>	<u>Date Received</u>	<u>Investigator</u>	<u>Nature of Complaint</u>	<u>Current Status</u>	<u>Costs To Date</u>
DORMANT COMPLAINTS:					
11-23S	11/7/2011		Unredeemable "nsf" check written on Doctor's business account	To be held in abeyance; to be addressed if the licensee requests reinstatement in the future	
13-23N	9/30/2013		Possible malpractice	To be held in abeyance; to be addressed if the licensee requests reinstatement in the future	

STATUS OF CURRENT DISCIPLINARY ACTIONS at August 31, 2018**Disciplinary Action with Probation****1. 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.**

2. 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.**

3. Paul Rovetti, DC, License No. B328

On April 7, 2016 the Board ordered Dr. Rovetti's license be suspended for three months, but the suspension shall be stayed pending successful completion of the following terms: The term of probation shall be from the effective date of this Order until December 31, 2018. Take and pass the Board's jurisprudence exam and the EBAS within 90 days of the effective date of this Order. Provide written evidence of completion of at least 4.5 hours of continuing education every 90 days throughout the period of probation. Pay the Boards' fees and costs totaling \$1,718.90 and pay a fine of \$1,000.00. Dr. Rovetti's failure to comply with the Board's order within 90 days has resulted in suspension of his license effective July 28, 2016. As of August 31, 2018 the fine and costs were turned over to the Controller's Office for collection. **This will be the final reporting for Dr. Rovetti.**

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. **The current balance of the Board costs due is \$1,700.00.**

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 submitted eight hours of continuing education in ethics and boundaries and four hours in record keeping. Dr. Stella has paid his fine and board costs in full.**

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 \$15,946.00.** Dr. Raines is in compliance with the terms of the Order.

Probation Only

1. Bret Brown, DC, License No. B01639

The Board approved Dr. Brown's application for DC licensure at the January 13, 2017 meeting subject to the following conditions: #1 Take and pass the Ethics & Boundaries Examination and #2 pay a fine in the amount of \$1,500.00, which was paid on February 27, 2017. Upon successfully completing #1 and #2 Dr. Brown shall take and pass the Nevada jurisprudence exam, which have all been completed. Dr. Brown was granted his license on February 28, 2017 under the condition that his license be on probation for three years and he will have a practice monitor for the duration of his probation effective February 28, 2017. Dr. Brown must submit twelve hours of continuing education related to chiropractic ethics and boundary issues by December 1, 2017, which was completed on November 17, 2017. Dr. Brown may be asked to provide lab testing and must provide the requested sample within four hours of any such request. Failure to comply with any term of this probation shall result in the automatic suspension of Dr. Brown's license. Upon complying his license will automatically be reinstated. Dr. Brown is in compliance with his order.

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

REPORT OF INITIAL INSPECTION

August 22, 2018

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

RE: Stephen Alexander, D.C.

Probationary Period: 7/2018-7/2019

Dear Dr. Jaeger:

Background and Business Structure

The Board's Agreed Settlement of Disciplinary Action and Order dated July 19, 2018 delineated broad areas of concern and areas of supervision that the Board wished to have monitored over the one year period of probation. On 8/22/2018, I met with Dr. Alexander at his office to discuss parameters of my supervision and formalize our arrangements as well as performing the preliminary office inspection.

The primary focus of the initial inspection was to assure that the office was meeting at least minimal standards of professional competency and regulatory compliance.

Equipment

Standard chiropractic orthopedic and neurologic assessments are performed regularly. Chiropractic spinal adjusting is performed on chiropractic tables. A combination of ART and Diversified techniques are utilized. No passive modalities are applied. He has hired four part time certified massage therapists to perform soft tissue work while he is working in the office. Their names are Veronica Cerda, Quiennie Fehlman, Jodi Eisenberg, and Amber Phillips. They are all registered with the Nevada State Board of Massage Therapy. They have also been reported on the self-inspection form for the CPBN.

Office Facilities

The physical layout of the office is conducive to appropriate patient traffic and privacy concerns. The travel cards are stored securely and out of patient access. This is also true of the computer terminals, telephones, and fax machines. He utilizes Chirofusion software for his daily chart notes and billing. The patient sign-in procedures meet current HIPAA standards. The required privacy notices are included in each patient file.

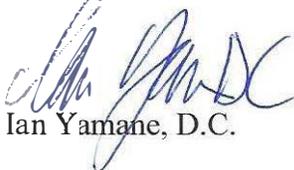
Record Keeping

I reviewed a random selection of patient charts (SS, TG, JF, LS) to assure their compliance with NAC 634.435. Travel cards were used to indicate what date the patient was treated. All other SOAP notes were indicated within the EMR system. Diagnosis' were based on the initial evaluation and medical history. Appropriate subjective, objective finding, diagnosis, and plan were noted for each visit. Dr. Alexander's initials were computer stamped for each visit. Soft tissue work was performed by massage therapists but there was no indication of who applied the treatment specifically.

Conclusion

It appears that Dr. Alexander's office is managed and supervised appropriately. I discussed the above mentioned issue regarding making mention of which specific therapist applied the therapy with Dr. Alexander. He agreed that he would resolve this area of concern and that it would be corrected by the next time I return for a compliance visit. My next visit will be in November of 2018.

Sincerely,



Ian Yamane, D.C.

Cc: Stephen Alexander, D.C.
CPBN Office

Dr. Jo Briggs
9555 So. Eastern Ave., Suite 240
Las Vegas, NV 89123
(702) 385-3090

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

REPORT of recent visits thru September, 26, 2018
RE: David Stella, D.C.

Office Facilities:

Dr. Stella is currently practicing at the Las Vegas Enlightenment Center, 5795 S. Sandhill Rd., Ste B, Las Vegas, NV 89123. (see <http://lasvegasenlightenmentcenter.com/our-mission>).

This building (that his office is contained has large meeting areas with several small rooms for individual therapies, that are either currently rented out or available for rent. He is currently the only chiropractic doctor renting space in this area. His assistant is Lilly Echeveria who assists with patient records and billing.

He is now sharing a large area on Monday thru Thursday with two other people also renting the other small rooms. The facility is very clean and organized. I had the opportunity to meet one of the current other renters. Currently they are: Diana Tolley and Minette plus there is an open area that is used for classes by any of these people and some who only give classes on evenings or weekends. I am including a copy of the cards of the enlightenment center, Dr. Stella, Minette and Diana Tolley's business cards.

Dr. Stella is no longer practicing at the Stewart office as of the end of this week.

Conclusion:

Although this is not a typical office facility, it appears safe and offers private rooms for giving care without interfering with other renters. On my next visit, I will want to watch the flow of a patient and other clients in the facilities as they move around with their permission.

Dr Stella has completed the professional Boundaries courses given by UC Irvine School of Medicine taken August 3rd and 4th of this year in Irvine. He has said he is update with monies owed to the board.

Sincerely,

Dr. Jo Briggs
Chiropractic Physician
Compliance Monitor

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

Costs Incurred	Since Last Report May 2018	Year-To-Date Fiscal Year 2018/2019
Advantage Group	-	6,243.21
Attorney General	3,958.32	4,189.86
Sub-Total	3,958.32	10,433.07
Staff Attorney	1,860.00	7,661.00
Total	\$ 5,818.32	\$ - \$ 18,094.07
Costs Reimbursed		
David Stella, DC	\$ -	\$ 1,280.00
James Overland Jr., DC	\$ 2,420.98	\$ 2,420.98
Mark Rubin, DC	\$ 200.00	\$ 800.00
Stephen Alexander, DC	\$ -	\$ 933.40
Totals	\$ 2,620.98	\$ 5,434.38
No Activity		
Corazon Murillo, DC	-0-	\$ 10,024.21
Obteen Nassiri, DC	-0-	\$ 114,614.24
Paul Rovetti, DC	-0-	\$ 1,718.90
	\$ -	\$ 124,638.45

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 19 Financial Status Reports– No action.**

- A. Current cash position & projections – No action.**
- B. Accounts Receivable Summary – No action.**
- C. Accounts Payable Summary – No action.**
- D. Employee Accrued Compensation – No action.**
- E. Income/Expense Actual to Budget Comparison as of August 31, 2018 – No action.**

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

PRESENTED BY: **Julie Strandberg**

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

**CHIROPRACTIC PHYSICIANS' BOARD
BANK BALANCE REPORT
As of August 31, 2018**

CHECKING ACCOUNT	33,604.99
SAVINGS ACCOUNT	392,311.47
SAVINGS ACCOUNT - Restricted	19,458.00
Paypal	10.00
Total Cash Balance @ 08/31/18	<u>\$445,384.46</u>

ACCOUNTS RECEIVABLE SUMMARY AS OF August 31, 2018

A/R	0.00
Fines	61,946.00
Cost Reimbursements	120,393.14
Total A/R	<u>\$182,339.14</u>

**ACCOUNTS PAYABLE SUMMARY
As of August 31, 2018**

State Treasurer - Fines collected/payable	14,554.00
Total Accounts Payable	<u>\$ 14,554.00</u>

Extraordinary Items

***Employee Accrued Compensation as of 08/31/18**

	Vacation Hours	Sick-Leave Hours	Comp-Time Hours
Julie Standberg	77.32	943.97	
Brett Canady	13.00	6.50	

Chiropractic Physicians' Board of Nevada
Income/Expense Report To Budget - CASH BASIS
For the Period Ending August 31, 2018

AGENDA ITEM 19E

	Actual July 1, 2018 thru August 31, 2018	Budget FY 06/30/19	Variance
Revenue			
License & Fees	1,275.00	248,250.00	246,975.00
Application & Fees	7,085.00	26,450.00	19,365.00
Interest/Gain Loss on Invest	21,018.36	1,000.00	(20,018.36)
Exam Fees	4,950.00	9,375.00	4,425.00
Reinstatement Fees	-	7,500.00	7,500.00
Miscellaneous	4,148.25	21,875.00	17,726.75
Reimbursement Income	933.40	30,484.00	29,550.60
TOTAL REVENUE	\$ 39,410.01	\$ 344,934.00	\$ 305,523.99
Expenses			
Background Checks	1,935.25	7,000.00	5,064.75
Banking Expenses	826.54	7,720.00	6,893.46
Dues & Registration	604.82	4,000.00	3,395.18
Equipment Repair	-	-	-
COMPUTER: Equipment/Software/Websites	2,561.27	12,500.00	9,938.73
Insurance	-	1,500.00	1,500.00
Legal & Professional	9,053.34	99,800.00	90,746.66
Operating Supplies	981.52	4,000.00	3,018.48
Printing & Copying	902.40	3,500.00	2,597.60
Postage	59.91	5,000.00	4,940.09
Casual Labor - Clerical	-	4,000.00	4,000.00
Personnel			
Office Salaries	18,626.04	127,000.00	108,373.96
Board Salaries	900.00	10,000.00	9,100.00
Workman's Compensation	1,012.20	6,000.00	4,987.80
Retirement - PERS	3,416.71	31,857.00	28,440.29
Employee Insurance - PEBP	1,699.13	21,000.00	19,300.87
Unemployment	79.54	2,275.00	2,195.46
Medicare & Social Security	270.08	5,037.00	4,766.92
Payroll Processing	4.00	450.00	446.00
Rent	2,601.69	14,258.00	11,656.31
Telephone	346.94	4,000.00	3,653.06
Travel			
In State	1,357.64	10,000.00	8,642.36
Out State	-	10,000.00	10,000.00
TOTAL EXPENSES	\$ 47,239.02	\$ 390,897.00	\$ 343,657.98
NET RESULT	\$ (7,829.01)	\$ (45,963.00)	
BEGINNING CASH BALANCE 07/01/18	269,959.31		
NET OPERATING RESULT	262,130.30		
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 August 31, 2018**

AGENDA ITEM 19E

	Actual July 1, 2018 thru August 31, 2018	Actual July 1, 2017 thru August 31, 2017
Revenue		
License & Fees	1,275.00	2,350.00
Application & Fees	7,085.00	4,590.00
Interest/Gain Loss on Invest	21,018.36	24.21
Exam Fees	4,950.00	4,890.12
Reinstatement Fees		
Miscellaneous	4,148.25	3,307.00
Reimbursement Income	933.40	-
TOTAL REVENUE	\$ 39,410.01	\$ 15,161.33
Expenses		
Background Checks	1,935.25	1,530.50
Banking Expenses	826.54	901.59
Dues & Registration	604.82	564.98
Equipment Repair	-	-
COMPUTER: Equipment/Software/Websites	2,561.27	3,539.62
Insurance	-	-
Legal & Professional	9,053.34	1,353.68
Operating Supplies	981.52	203.49
Printing & Copying	902.40	472.59
Postage	59.91	1,150.06
Casual Labor - Clerical	-	-
Personnel	-	-
Office Salaries	18,626.04	19,529.04
Board Salaries	900.00	900.00
Workman's Compensation	1,012.20	-
Retirement - PERS	3,416.71	3,335.30
Employee Insurance - PEBP	1,699.13	5,013.95
Unemployment	79.54	114.72
Medicare & Social Security	270.08	362.16
Payroll Processing	4.00	6.00
Rent	2,601.69	2,728.48
Telephone	346.94	340.18
Travel		
In State	1,357.64	-
Out State	-	-
TOTAL EXPENSES	\$ 47,239.02	\$ 42,046.34
NET RESULT	\$ (7,829.01)	\$ (26,885.01)
BEGINNING CASH BALANCE 07/01/17	269,959.31	
NET OPERATING RESULT	262,130.30	

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

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

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

RECOMMENDED MOTION: **No recommendation**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

- A. Mandatory Self-Inspection report (NAC)**
- B. Fines for not meeting deadlines. i.e. Self-Inspection**
- C. NAC 634.339 (1) (d) Shall not supervise more than one student.**
- D. Prohibit applicants from serving on the Board with a history of Board discipline.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

**PROPOSED REGULATION OF THE
CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

LCB File No. R*-18**

September 7, 2018

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: NRS 634.030 and 634.014.

A REGULATION relating to the renewal of a chiropractic physician's license and the supervision of persons working in a chiropractic physician's office.

Section 1. NAC chapter 634 is hereby amended to add the following new language:

1. A chiropractic physician shall submit an application on a form prescribed by the Board between January and March of each year. The form prescribed by the board may include a self-inspection form. The completed form must be received or postmarked no later than March 31 of each year. The board will not accept a form that is not complete at the time of its submittal and will return an incomplete form to the chiropractic physician who submitted it.

Section 2. NAC chapter 634 is hereby amended to add the following new language:

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

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

(a) The independent contractor is not an employee of the chiropractic physician;

(b) The services provided by the independent contractor in the office of the chiropractic physician are not provided under the supervision or control of the chiropractic physician; and

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

Agenda Item 20C

NAC 634.339 Duties of preceptor; scope of authorized activities of student. ([NRS 634.030, 634.137](#))

1. In supervising a student who is participating in the preceptor program, a preceptor:
 - (a) Shall ensure that the student is exposed to and, within the discretion of the preceptor and except as otherwise provided in subsection 2, is allowed to perform all aspects of chiropractic as practiced by the preceptor;
 - (b) Shall assume all responsibility and liability for all acts performed by the student;
 - (c) Shall notify the Board within 15 business days after the termination of the student's participation in the preceptor program; and
 - (d) Shall not supervise more than one student.**
 2. A student who participates in the preceptor program shall not:
 - (a) Diagnose the condition of a patient without the written concurrence of the preceptor, which must be documented in the health care record of the patient;
 - (b) Establish a plan of treatment or prognosis for a patient without the written concurrence of the preceptor, which must be documented in the health care record of the patient;
 - (c) Perform any service except at the direction of and under the direct supervision of the preceptor;
 - (d) Practice chiropractic more than 40 hours during any week in which the student participates in the preceptor program; or
 - (e) Bill independently of the preceptor for any service rendered.
- (Added to NAC by Chiropractic Physicians' Bd. by R004-12, eff. 11-1-2012)

Agenda Item 20D

NRS 634.020 Creation; number, appointment and qualifications of members.

1. The Chiropractic Physicians' Board of Nevada, consisting of seven members appointed by the Governor, is hereby created.

2. The Governor shall appoint:

(a) Four members who are:

(1) Graduates of chiropractic schools or colleges giving a course of study embracing the following subjects: Anatomy, bacteriology, chiropractic theory and practice, diagnosis or analysis, elementary chemistry and toxicology, histology, hygiene and sanitation, obstetrics and gynecology, pathology, physiology and symptomatology;

(2) Licensed under this chapter; and

(3) Actually engaged in the practice of chiropractic in this State and who have been so engaged in this State for at least 3 years preceding their appointment.

(b) One member who represents the interests of persons or agencies that regularly provide health care to patients who are indigent, uninsured or unable to afford health care. This member may be licensed under the provisions of this chapter.

(c) Two members who are representatives of the general public. A member appointed pursuant to this paragraph must not be:

(1) A chiropractor or a chiropractor's assistant; or

(2) The spouse or the parent or child, by blood, marriage or adoption, of a chiropractor or a chiropractor's assistant.

3. At least two of the appointees must have had a course in physiotherapy in a school or college of chiropractic. Not more than two persons who are resident graduates of the same school or college of chiropractic may serve simultaneously as members of the Board.

[Part 1:23:1923; A 1929, 280; [1949, 655](#); 1943 NCL § 1080] — (NRS A [1969, 348](#); [1977, 1253](#); [1983, 420](#); [1997, 819](#); [2003, 1193](#); [2005, 2821](#))

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 21 Establish dates for future Board Meetings – For possible action.**

RECOMMENDED MOTION: **Action item.**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: Previous meetings have been scheduled for January, April, July, and October.

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 22** Consideration of attendees at the January 24-27, 2019 Federation of Association of Regulatory Boards in New Orleans, LA – For possible action.

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Dr. Jason O. Jaeger**

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 23 Correspondence Report – No action**

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

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **See attached.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Sent:
To:
Subject:

The National Board of Chiropractic Examiners (NBCE) <communications@nbce.org>
Monday, September 24, 2018 2:50 PM
Julie Strandberg
Dr. Cynthia Tays Elected to NBCE Board of Directors



Dr. Cynthia Tays Elected to NBCE Board

Greeley, Colo.— The NBCE is pleased to announce the election of Dr. Cynthia L. Tays of Austin, Texas, as District IV Director. District IV includes the states of Arizona, California, Colorado, Hawaii, Kansas, Nevada, New Mexico, Oklahoma, Texas, and Utah.



Dr. Tays graduated with honors from Texas Chiropractic College in 1983. She is a Fellow of the American Board of Chiropractic Orthopedists. Dr. Tays was President of the Texas Board of Chiropractic Examiners (TBCE) from 2011-2016, and currently serves as Peer Review Consultant of TBCE. Most recently, she served as Board Chair and District IV Director for the Federation of Chiropractic Licensing Boards.

NBCE President Dr. Salvatore D. LaRusso said, “We are pleased to welcome Dr. Tays to our board of directors. Her leadership and devotion to chiropractic, along with Dr. Tays’ experience as Part IV examiner and NBCE test committee member make her a valuable asset to our board.”

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

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 24 Board Member Comments – No action**

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

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **5 minutes**

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 25 Public Interest Comments – No action**

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

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

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

MEETING DATE: **October 5, 2018**

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

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 25

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 26** Adjournment – For possible action

RECOMMENDED MOTION: **Adjourn the meeting.**

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

MEETING DATE: **October 5, 2018**

TIME REQUIRED: **5 minutes**

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued