

**Steve Sisolak**  
*Governor*



**Morgan Rovetti, DC**  
*Member*

**Xavier Martinez, DC**  
*Member*

**Tracy DiFillippo, Esq.**  
*Consumer Member*  
**John Bertoldo, Esq.**  
*Consumer Member*

**Julie Strandberg**  
*Executive Director*

**Margaret Colucci, DC**  
*President*  
**Nicole Canada, DC**  
*Vice President*  
**James T. Overland Sr., DC**  
*Secretary-Treasurer*

## **CHIROPRACTIC PHYSICIAN'S BOARD OF NEVADA**

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

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

Website: <http://chirobd.nv.gov> | Email: [chirobd@chirobd.nv.gov](mailto:chirobd@chirobd.nv.gov)

### **MEETING MINUTES**

A meeting of the Chiropractic Physicians' Board was held on Thursday, May 13, 2021 by zoom conference.

The following Board members were present at roll call:

Margaret Colucci, DC, President  
Nicole Canada, DC, Vice President  
James T. Overland Sr., DC, Secretary-Treasurer  
Morgan Rovetti, DC, Member

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

President, Dr. Colucci determined a quorum was present and called the meeting to order.

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

#### **Agenda Item 1 Public Interest Comments - No action.**

Dr. David Rovetti on behalf of the NCA stated that this agenda item allows for public comment at other times other than at the beginning and end of the meeting and asked if the Board would allow comments at the agenda item rather than bundling everything at the beginning or end? Dr. Colucci confirmed that allowing comments at the agenda item would be fine.

#### **Agenda Item 2 Approval of agenda – For possible action.**

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

#### **Agenda Item 3 Approval of the October 15, 2020 Board Meeting Minutes and the January 14, 2021 Board Meeting Minutes. - For possible action.**

Dr. Canada moved to approve the October 15, 2020 Board meeting minutes. Dr. Overland seconded, and the motion passed with all in favor.

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Dr. Overland noted that agenda item 6 at the January meeting was the discussion regarding CBD. Dr. Overland recalled that the science that he referred to referenced the threshold of 3% THC, however the minutes indicate 1% CBD.

Dr. Rovetti moved to table the January 14, 2021 minutes. Dr. Canada seconded, and the motion passed with all in favor.

**Agenda Item 4 Ratification of granting of DC licenses to applicants who passed the examination from January to April 2021 – For possible action**

Dr. Rovetti moved to approve the ratification of granting of DC licenses to those who passed the examination from January to April 2021. Dr. Canada seconded, and the motion passed with all in favor.

**Agenda Item 5 Ratification of granting of CA certificates to applicants who passed the examination on February 16, 2021 – For possible action**

Dr. Overland moved to approve the ratification of granting of CA certificates to those who passed the in-person examination on February 16, 2021. Dr. Canada seconded, and the motion passed with all in favor.

**Agenda Item 6 Legislative Matters – For possible action.**

Dan Musgrove with Strategies 360 was present and stated that the Board bill, AB 210 is on the agenda tomorrow for work and upon passage will be moved to the floor. SB335 and SB379 were introduced and will potentially have an impact on the Boards. SB335 moves the professional licensing Boards under the direction of the Department of Business and Industry and requires certain Boards to transfer 5% of their licensing fees to the General Fund. Mr. Musgrove complimented Mr. Ling for his extensive memorandum, which discussed whether the bill should require a 2/3 vote. SB379 is a healthcare information bill to understand the demographics of the healthcare workforce and asked that the licensing boards collect personal information from applicants and licensees. Due to opposition from the Boards, the bill has been amended to have the information sent directly to the Department of Health and Human Services.

**Agenda Item 22 NCA Report – No action**

Dr. David Rovetti was present on behalf of the NCA and stated that the NCA is planning a 10-hour continuing education course in Las Vegas for late June/early July. The NCA will also be holding a CA review course in Las Vegas and Reno prior to the September 28, 2021 exam. Dr. Rovetti thanked the Board for allowing the NCA's amendment to allow chiropractic physicians to return concussion patients back to the playing field, although the National Osteopathic Medical Association (NOMA) opposed the amendment, stating that chiropractic physicians are not qualified. Dr. Rovetti mentioned that the NCA may submit the concussion language next session to include educational requirements.

**Agenda Item 8 Discussion and possible action regarding the practice of treating the pelvic floor – For possible action**

The chiropractic physician who requested this agenda item was not able to attend, so this agenda item was tabled.

**Agenda Item 9 Discussion and possible action regarding chiropractic physicians including Qualified Medical Examiner (QME) on their Nevada letterhead – For possible action.**

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Mr. Ling directed the Board to his memorandum in the Board packet and indicated that the existing authority would and should allow someone who has attained the QME status be allowed to advertise as such. Mr. Ling asked the board if they had any questions with respect to his memo. Following discussion, expressing concern to allow QME be advertised in Nevada, Mr. Ling cautioned the Board against not allowing the use of QME, because the Boards cannot be seen as acting anti-competitively and a reason that this cannot be done has not been identified.

Dr. Overland made a motion to table this agenda item to find out more information and will get back to the Board at the next meeting. Dr. Canada seconded, and the motion passed with all in favor.

**Agenda Item 7 Discussion and possible action regarding Chiropractic Physician examinations – For possible action.**

Dr. Jason Jaeger, District IV Director, presented the examinations administered by the NBCE. Dr. Jaeger explained that the Special Purposes Examination for Chiropractic (SPEC) is a two-part exam geared toward clinical competency. Dr. Jaeger, asked if the Board would be interested in turning its chiropractic physicians' jurisprudence exam over to the NBCE and provided an outline of the process. Dr. Jaeger took questions from the Board and indicated that he would obtain answers to questions not answered and get back to the Board. Dr. Jaeger provided the details of the Ethics and Boundaries Assessment (EBAS), which is for ethical competency.

**Agenda Item 23 NCC Report – No action**

Dr. Teddy Sim was present on behalf of the NCC. Dr. Sim stated that the NCC is holding a 12-credit seminar at the Artisan in Las Vegas on October 16, 2021. Dr. Sim also indicated that the NCC is also planning a seminar in Reno. Dr. Rovetti requested that Dr. Sim bring the membership count to the next meeting.

**Agenda Item 11 Discussion and possible action regarding chiropractic physicians authorizing "Handicap Placards." – For possible action.**

Dr. Overland stated that he has received correspondence from chiropractic physicians' indicating that the DMV would not accept their request to issue a handicap placard to their patient. Dr. Overland clarified that the DMV revised the request form to identify a "licensed physician" and the revision identified in AB210 to "chiropractic physician" should provide clarity.

**Agenda Item 10 Discussion and possible action regarding participating in an Interstate Compact – For possible action.**

Dr. Colucci shared that the FCLB was approached by a governmental agency to apply for a grant to assist in the funding of an Interstate Compact, however their request was denied.

Dr. Overland made a motion to communicate the Boards interest in being involved with the interstate compact with the FCLB as well as discussion at the fall 2021 District meeting. Dr. Canada seconded, and the motion passed with all in favor.

**Agenda Item 12 Review and approval of the policy to add an agenda item. – For possible action.**

Dr. Rovetti stated that the Board does not have a consistent process to add an agenda item to the Board meeting agenda, so she and Dr. Overland prepared a policy for consideration. Dr. Rovetti presented the policy to add an agenda item and indicated that she reminded the Board that it is helpful for the motion be identified on the action sheet. There was concern that a Board member could add several random topics and Dr. Rovetti explained that in the event this happens, the Board may vote to remove those items during the agenda item to approve the agenda.

Dr. Overland made a motion to approve the policy as presented. Dr. Rovetti seconded. Julie Strandberg stated that allowing changes to the agenda up to 7 days prior to the meeting may delay the receipt of the Board packet to the Board members on the Friday prior to the meeting. Dr. Overland and Dr. Rovetti voted in favor and Dr. Canada and Dr. Colucci opposed.

Dr. Overland made a motion that the Board adopt the policy revising the deadline to 7-10 days. Dr. Colucci seconded, and the motion passed with all in favor with the exception of Dr. Rovetti who opposed.

**Agenda Item 13** Status report regarding anonymous profiles of possible disciplinary actions. Board action will be limited to either dismissing the matter if the Board determines there is no violation, it has no jurisdiction over the subject, or providing direction to pursue the matter further – For possible action:

- A. Complaint 17-28S (Colucci)**  
Dr. Colucci stated that Dr. Brim fulfilled his obligation of the citation by paying the fine, so this complaint is now closed.
- B. Complaint 18-13S (Rovetti)**  
Dr. Rovetti reported that she needed to discuss with Mr. Ling and would report back at the next Board meeting.
- C. Complaint 18-15S (Canada)**  
Dr. Canada stated that based on the investigation the complaint could not be validated and recommended dismissal. Dr. Colucci made a motion to dismiss complaint 18-15S. Dr. Overland seconded, and the motion passed with all in favor. Dr. Canada recused herself as the investigating board member.
- D. Complaint 18-17S (Canada)**  
Dr. Canada stated that based on the investigation the complaint could not be validated and recommended dismissal. Dr. Colucci made a motion to dismiss complaint 18-17S. Dr. Overland seconded, and the motion passed with all in favor. Dr. Canada recused herself as the investigating board member.
- E. Complaint 19-03S (Canada)**  
Dr. Canada stated that based on the investigation the complaint could not be validated and recommended dismissal. Dr. Colucci made a motion to dismiss complaint 19-03S. Dr. Overland seconded, and the motion passed with all in favor. Dr. Canada recused herself as the investigating board member.
- F. Complaint 19-12S (Rovetti)**  
Dr. Rovetti stated that civil and criminal litigation are currently in progress.

**G. Complaint 19-16S (Canada)**

Dr. Canada stated that the original complainant felt that she was talked into a therapy treatment plan for neuropathy, however after review Dr. Canada confirmed that the patient did sign, in agreement with the plan and recommended dismissal. Dr. Overland made a motion to dismiss complaint 19-16S. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Canada recused herself as the investigating board member.

Dr. Canada stated that when she visited the clinic, she noticed that the wall certificates were not posted and communicated the requirement to display the wall certificates. Dr. Canada made a follow-up visit approximately 6-8 weeks later and the wall certificates were still not displayed. A citation was sent to the chiropractic physician for not complying with displaying wall certificates. Dr. Purcell fulfilled his obligation of the citation by paying the fine, so this complaint is now closed.

Dr. Rovetti reported that this complaint is still under investigation.

**H. Complaint 20-01N (Rovetti)**

Dr. Rovetti reported that this complaint is still under investigation.

**I. Complaint 20-03N (Rovetti)**

Dr. Rovetti reported that this complaint is still under investigation.

**J. Complaint 20-13S (Colucci)**

Dr. Colucci stated that the complainant alleged that the practice was not following COVID-19 guidelines with respect to cleanliness. Dr. Colucci visited the practice and confirmed that there were no issues with cleanliness. Dr. Canada made a motion to dismiss complaint 20-13S. Dr. Overland seconded, and the motion passed with all in favor. Dr. Colucci recused herself as the investigating board member.

**K. Complaint 21-01S (Nolle)**

Julie Strandberg stated that this complaint is against a Board member and is currently under investigation.

**L. Complaint 21-02S (Colucci)**

Dr. Colucci explained that this complaint was filed by the Board with respect to the DC not filing CA applications timely. Dr. Colucci stated that a citation was issued.

**M. Complaint 21-03S (Canada)**

Dr. Canada stated that this complaint was filed by the Board with respect to the chiropractic physician failing to disclose his criminal background on his reinstatement application. Dr. Canada stated that she is working with Mr. Ling and Julie Strandberg and recommended that the chiropractic physician undergo a psychiatric evaluation before seeing patients or conducting PPD file reviews.

**N. Complaint 21-04S (Martinez)**

Dr. Martinez was not present to report.

**O. Complaint 21-05S (Overland)**

Dr. Overland stated that this complaint was originated due to the chiropractic physician failing to report action taken from another Board on his renewal. A cease-and-desist letter was sent and Dr. Overland

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attempted to contact the DC with no luck. The Advantage Group visited and called the practice to make an appointment and was told that the DC is not taking appointments. At this time, it is assumed that the chiropractic physician is not practicing and recommended dismissal. Dr. Colucci made a motion to dismiss complaint 21-05S. Dr. Canada seconded, and the motion passed with all in favor. Dr. Overland recused himself as the investigating board member.

**Agenda Item 14 Board Counsel Report – No action**

Mr. Ling stated that he appreciates being an active participant in the CBLAC organization and at their quarterly meeting last week the topics were regarding legislation nationwide. Mr. Ling recognized the hard work of the legislative team, Mr. Musgrove, Dr. Colucci, and Julie Strandberg.

**Agenda Item 15 Consideration of potential additions, deletions, and/or amendments to NRS 634 and NAC 634– For possible action.**

There was no discussion.

**Agenda Item 16 Committee Reports**

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

Dr. Martinez was not present to report.

**B. Legislative Committee (Dr. Colucci) – For possible action.**

Dr. Colucci stated that the Board received recommendations from the NCA and the Clark County Defenders Office to revise the Board bill, which were implemented. Dr. Colucci suggested that the Board clarify the approved language in AB210 with respect to NRS 634.220, using the word, “drug.” Mr. Ling recommended that the Board send out communication upon the passage of the Boards bill.

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

Dr. Rovetti stated that she did not have anything to report. Dr. Overland inquired about reaching out to the chiropractic colleges to bring awareness to the preceptor program and Dr. Rovetti indicated that she has reached out to the Directors at Palmer West and Life West. Dr. Rovetti indicated that she can reach out to the other chiropractic colleges.

**D. Test Committee (Dr. Canada) - For possible action.**

Dr. Canada stated that she is intrigued by the NBCE taking over the jurisprudence exam and as Dr. Overland indicated earlier, she is also concerned with the low passing CA exam rate. Dr. Colucci reminded the Board of the CCCA exam administered by the FCLB.

**Agenda Item 17 Executive Director Reports:**

**A. Status of Pending Complaints – No action.**

**B. Status of Current Disciplinary Actions – No action.**

**C. Legal/Investigatory Costs – No action.**

Julie Strandberg gave an overview of the Executive Director Report and stated that Dr. Rubin had satisfied the stipulations of his Board Order and will no longer be reported. Julie Strandberg referred the Board to the report provided by Dr. David Rovetti, who was assigned as the practice monitor for Dr. Camilleri, which recommended to cease monitoring

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pursuant to the Settlement Agreement and Order. Dr. Camilleri will continue to be reported until his probation period ends on October 14, 2021.

**Agenda Item 18** Financial Status Reports:

- A. Current cash position & projections – No action.**
- B. Accounts Receivable Summary – No action.**
- C. Accounts Payable Summary – No action.**
- D. Employee Accrued Compensation – No action.**
- E. Income/Expense Actual to Budget Comparison as of August 31, 2020 – No action.**
- F. Budget to Actual at August 31, 2020 – No action.**

Julie Strandberg gave an overview of the financial reports.

**Agenda Item 19** Discussion and potential action regarding the approval of the Boards' 2021/2022(FY22/23) Budget – For possible action.

Julie Strandberg provided an overview of the budget projections. Dr. Overland made a motion to approve the budget as submitted for fiscal years 2022 and 2023 to account for necessary adjustments. Dr. Canada seconded, and the motion passed with all in favor.

**Agenda Item 20** Discussion and possible action regarding continuance with the Board's current licensing database or selection of a new database.- For possible action.

Julie Strandberg shared the Boards challenges with the existing database and exam platform and shared the benefits of a new database. The benefits and costs associated with three database platforms were provided to the Board. The Board inquired about the logistics to make the transition.

Dr. Canada made a motion to move forward with Thentia and bring the contract to the next Board meeting. Dr. Overland seconded, and the motion passed with all in favor.

**Agenda Item 21** Discussion and possible action regarding Board staff evaluations – For possible action.

Dr. Overland stated that he received Brett Canady's evaluation and only received four out of seven evaluations for Julie Strandberg. Dr. Canada recommended that Julie Strandberg receive a 4% increase and Brett Canady receive a 6.85% increase. Dr. Overland seconded for discussion. Dr. Canada voted in favor and Dr. Overland, Dr. Colucci, and Dr. Rovetti opposed.

Dr. Rovetti made a motion to approve the 6.85% increase for Brett Canady and table the evaluation for Julie Strandberg. Dr. Overland seconded, and gave an overview of the evaluations submitted. Dr. Rovetti voted in favor and Dr. Canada, Dr. Overland and Dr. Colucci opposed.

Dr. Overland made a motion to approve Brett Canady's 6.85% increase. Dr. Canada seconded, and the motion passed with all in favor. Dr. Canada made a motion to approve the 4% cost-of-living increase for Julie Strandberg. Dr. Colucci seconded, and the motion passed with all in favor with the exception of Dr. Rovetti.

**Agenda Item 24** Public Interest Comments – No action.

Dr. David Rovetti stated that this agenda item states that you can talk about anything that is not on the agenda and asked if this language is pursuant to the open meeting law. Julie Strandberg stated that she will confirm that language.

Dr. Rovetti thanked the Board for allowing the NCA to speak during agenda items.

Dr. Overland echoed Dr. David Rovetti and iterated that when he attended the Board meetings as the President of the NCA the Board acknowledged his comments regarding agenda items, which made it a lot easier for the NCA to work with the Board.

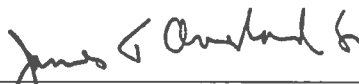
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Dr. Colucci thanked everyone for being at the meeting.

**Agenda Item 25 Adjournment – For possible action.**

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

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James T. Overland Sr., DC  
Secretary-Treasurer