

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

NOTICE OF MEETING

DATE: Thursday, February 3, 2022 **TIME:** 9:00 a.m.

LOCATION: Video Conference Call via Zoom

Instructions for attending conference call:

Topic: Chiropractic Physicians' Board Meeting

Time: Feb 3, 2022 09:00 AM Pacific Time (US and Canada)

Join Zoom Meeting

<https://us06web.zoom.us/j/82866972248?pwd=RnpPWmJDZm5XTVh5SXdnenU3L2dvQT09>

Meeting ID: 828 6697 2248

Passcode: 231501

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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. Rovetti

Statement of Purpose – Dr. Colucci

Agenda Item 1 Public Interest Comments - No action.

- A. Public Comment will be taken at the beginning and at the end of each Board meeting;
- B. Public Comment may also be taken at other such times as requested so long as the request that Public Comment be taken will not interrupt ongoing Board business;
- C. Depending on the number of individuals wishing to address the Board, a reasonable time limit may be set. The Board will not restrict comments based upon viewpoint;
- D. No action may be taken upon a matter raised during Public Comment until the matter itself has been specifically included on an agenda as an item upon which action may be taken.
- 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 15, 2021 Board Meeting Minutes. - For possible action.

Agenda Item 4 Legislative Matters – For possible action.

- A. Strategies 360 – Dan Musgrove

Agenda Item 5 Discussion and potential action regarding the citation in the Matter of Daniel Lai, 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. Lai)

Agenda Item 6 – Election of Officers – For possible action

Agenda Item 7 - Reassign Committees – For possible action.

Agenda Item 8 NCA Report – No action

Agenda Item 9 NCC Report – No action

Agenda Item 10 - Discussion and potential action regarding the Chiropractic Assistant program – For possible action.

Agenda Item 11 Discussion and potential action regarding the use of a percussive Thera-gun by a chiropractic assistant.- For possible action.

Agenda Item 12– Discussion and potential action regarding Continuing Education requirements – For possible action.

- A. New licensees' attendance at a Board meeting.
- B. Require 50% of the continuing education credits (18 credits) be completed on-line and 50% of the continuing education credits (18 credits) be completed in-person or any combination of the continuing education hours.

Agenda Item 13 FCLB/NBCE Matters – For possible action.

- A. Selection of Board's choice for FCLB Voting Delegate
- B. Selection of Board's choice for FCLB Alternate Delegate
- C. Selection of Board's choice for NBCE Voting Delegate
- D. Selection of Board's choice for NBCE Alternate Delegate
- E. Attendance of Board Member(s) at the FCLB's 95th Annual Educational Congress May 4-7, 2022 Denver, CO
 - a. Apply for the scholarship through NBCE to receive \$2,500 in hotel, travel, and registration expenses
- F. Selection of Board Member to participate in the Spring National Board Part IV Exam - May TBD, 2022
- G. Selection of Board Member to participate in the National Board Part IV Test Committee meeting - June TBD, 2022
- H. Selection of Board Member to participate in the Fall National Board Part IV Exam - November TBD, 2022
- I. Other FCLB/NBCE matters.

Agenda Item 14 Board Counsel Report – No action

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 19-12S (Rovetti)
- B. Complaint 20-01N (Rovetti)
- C. Complaint 20-03N (Rovetti)
- D. Complaint 21-01S (Nolle)
- E. Complaint 21-02S (Colucci)
- F. Complaint 21-03S (Canada)
- G. Complaint 21-07N (Colucci)

- H. Complaint 21-26N (Colucci)
- I. Complaint 21-29N (Canada)
- J. Complaint 21-30N (Colucci)
- K. Complaint 21-31S (Colucci)
- L. Complaint 21-32S (Overland)
- M. Complaint 21-33S (Martinez)
- N. Complaint 22-01S (Canada)
- O. Complaint 22-02N (Colucci)

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

- A. Revise NAC 634.380(1) to include an Email address used for work purposes.
- B. Revise NRS/NAC to allow chiropractic physicians to direct treatments that are within their scope of practice to Registered Nurses.
- C. Revise NRS 634.090(1)(b) to remove the requirement that the applicant provides their proof of high school education.

Agenda Item 17 Committee Reports

- A. Continuing Education Committee (Dr. Martinez) – For possible action.
- B. Legislative Committee (Dr. Colucci) – For possible action.
- C. Preceptorship Committee (Dr. Rovetti) – For possible action.
- D. Test Committee (Dr. Canada) - 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.
- D. DC licenses to applicants who passed the examination from October to December 2021 and January 2022 – No action.
- E. Business Entity Registrations – 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 November 31, 2021 – No action.
- F. Budget to Actual at November 31, 2021 – No action.
- G. 2021 Board Audit – For possible action.

Agenda Item 20 Discussion and possible action regarding Accountant/Bookkeeping proposals – 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 the applicants.)

Agenda Item 21 Discussion and possible action regarding Board staff’s participation in the Administrative Collaborative– For possible action.

Agenda Item 22 Public Interest Comments – No action.

In accordance with NRS 241.020 Public Comment will be taken prior to the adjournment of the meeting.

Agenda Item 23 Adjournment – For possible action.

This agenda posted January 28, 2022 at the Chiropractic Physicians’ Board of Nevada, 4600 Kietzke Lane, Suite M245, Reno, Nevada 89502; State Library and Archives, 100 North Stewart St., Carson City, Nevada 89701; CPBN Website: <http://chirobd.nv.gov>; and Notice.nv.gov.

A request for copies of an agenda and/or a supporting document or documents may be obtained from:

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

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

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

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”: 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: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

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 1

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: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **2 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 October 28, 2021 Board Meeting Minutes. - For possible action.**

RECOMMENDED MOTION: **Approve the minutes of the October 28, 2021 meeting as drafted.**

PRESENTED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 3

Steve Sisolak
Governor



Morgan Rovetti, DC
Member

Xavier Martinez, DC
Member

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

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

A meeting of the Chiropractic Physicians' Board was held on Thursday, October 28, 2021 by zoom conference.

The following Board members were present at roll call:

Nicole Canada, DC, Vice President
James T. Overland Sr., DC, Secretary-Treasurer
Xavier Martinez, DC, Member
Tracy DiFillippo, Esq., Consumer Member

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

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

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

Agenda Item 1 Public Interest Comments - No action.

There were no public comments.

Agenda Item 2 Approval of agenda – For possible action.

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

Agenda Item 3 Approval of the July 15, 2021 Board Meeting Minutes. - For possible action.

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

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

Ms. DiFillippo moved to approve the ratification of granting of DC licenses to those who passed the examination from July to September 2021. Dr. Overland 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 September 28, 2021 – For possible action

Ms. DiFillippo moved to approve the ratification of granting of CA certificates to those who passed the in-person and on-line examinations on September 28, 2021. Dr. Martinez 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 shared that the Governor will be calling a Special Session of the Nevada legislature to consider re-districting and reapportionment. Every 10 years following the results of the census, the state is required to readjust the legislative and congressional districts so the population in each district is equal. Mr. Musgrove stated that Strategies 360 researched the amount of time as it relates to institutional knowledge/experience a legislator on average holds. Mr. Musgrove stated that in 2009 the Assembly had, on average three sessions of experience and the Senate had seven sessions of experience. In 2021 the Assembly had, on average 1.64 sessions of experience and the Senate had four sessions of experience. Mr. Musgrove stated that this is one of the impacts of term limits. Mr. Musgrove stated that there are currently 16 Assembly seats open out of 42.

Mr. Musgrove explained that AB443 changed the make-up of interim committees, with the intent that they will align with the legislative committee during the session. Mr. Ling stated that under the new structure the legislative chair and the lobbyist will need to be engaged throughout the interim. Mr. Ling understood that finished bills may be the result of the Interim Committees, however to his knowledge there are not any discussions regarding bills that would affect chiropractic. Mr. Ling stated that he is concerned that if there is no legislative sunset committee to go through, Commerce and Labor could attempt to do some “fixes” to the Boards and Commissions. Mr. Musgrove stated the Interim Committees will be made up of eight members, three Assembly and five Senate and plan to meet once every other month

Agenda Item 7 Discussion and possible action seeking approval of settlement agreements with the following chiropractic physicians relating to each’s failure to timely submit each’s self-inspection forms - For possible action (action may be taken with a single motion).

- A. Milo Allen, DC (21-12N)
- B. Daniel Lai, DC (21-14S)
- C. Shawn Larkin, DC (21-15S)
- D. Clinton Low, DC (21-16N)
- E. Glenn Lunceford, DC (2117N)
- F. Kathleen Nash, DC (21-18S)
- G. Robert Owens Jr., DC (21-19S)
- H. Shannon Peacock, DC (21-20N)
- I. Joshua Redd, DC (21-21S)
- J. Michael Taylor, DC (21-22S)
- K. Jordan Webber, DC (21-23S)

Mr. Ling explained that the named chiropractic physicians did not respond to the citation issued for not completing the 2021 self-inspection, so the next step was to take disciplinary action. A Notice of Charges was issued followed by the Settlement Agreement & Order requiring that the licensee submit the 2021 self-inspection within 30 days, pay a fine of \$150.00 and Board costs of \$100.00. Julie Strandberg stated that all chiropractic physicians have signed and satisfied the Settlement Agreement & Order, with the exception of one DC who had not paid the fine and costs. Dr. Canada asked if any of the chiropractic physicians would like to speak. Dr. Redd thanked Julie Strandberg for her assistance during this process. Dr. Redd also stated that he understands that this is the process and it is fair. Dr. Owens and Dr. Redd offered to assist with the fine and costs of the DC who is unable to pay.

Dr. Overland made a motion to approve the Settlement Agreement and Order for all chiropractic physicians. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 8 Discussion and potential action regarding the Application for CA Certification of Nicole Ward - For possible action. (Note: The Board may go into closed session pursuant to NRS 241.030 to consider the character alleged misconduct, or professional competence of Ms. Ward)

Dr. Canada welcomed Ms. Ward and gave her the opportunity to move into a closed session. Ms. Ward declined moving into a closed session. Dr. Canada referred to the question on the application that was not answered in accordance with her background. Dr. Canada asked for comments from Ms. Ward. Ms. Ward explained that the charges involved an ex-boyfriend, who wrote checks on her checking account, so checks were returned due to insufficient funds. Ms. Ward said she paid everything back and was told that the charges would be expunged. Ms. Ward shared that she was in the Air Force and was a juvenile probation officer and this charge was not brought to her attention as being on her background results. Dr. Canada opened up questioning to the Board.

Ms. DiFillippo moved to deny Ms. Ward's CA application and stated that she may re-apply answering the question correctly. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 9 - Discussion and potential action regarding the application for CA Certification from Sandra Milman, including but not limited to, review and potential approval of education attained by Ms. Milman - For possible action. (Note: The Board may go into closed session pursuant to NRS 241.030 to consider the character alleged misconduct, or professional competence of Ms. Milman). – For possible action.

Dr. Canada welcomed Ms. Milman and gave her the opportunity to move into a closed session. Ms. Milman declined moving into a closed session. Dr. Canada confirmed with Ms. Milman that she is requesting to obtain approval of her educational transcripts in lieu of 6 or 12 months of on-the-job training. Ms. Milman agreed and also indicated that she has been a chiropractic assistant in California for 1 ½ years and believes her experience qualifies her as well. Dr. Canada opened up for comments and questions from the Board. Mr. Ling referred to the Board's regulation which allows the Board to accept a CA program or the Board may at its discretion waive one or more of the requirements for good cause shown and upon receipt from an applicant of documentation demonstrating that the applicant received additional formal training, education or experience grant the applicant credit toward fulfilling the requirements identified in NAC 634.355 subparagraph (2) (a) (2). Mr. Ling recognized that between a physical therapy assistant program and a medical assistant program Ms. Milman has completed 2,470 classroom

hours. Dr. Martinez stated concern that her training did not include x-rays. Ms. DiFillippo pointed out that the Board does not require that CA's list the duties that they are trained on. Dr. Canada stated that based on Ms. Milman's 2,470 hours of classroom curriculum between a Medical Assistant and a Physical Therapy Assistant program, along with her chiropractic assistant experience in California, she feels comfortable allowing her to sit for the examinations.

Ms. DiFillippo made a motion to approve Ms. Milman's chiropractic assistant application and allow her to sit for the exams, accepting her on-the-job training in California as well as the education she submitted in lieu of 6 or 12 months of on-the-job training in Nevada. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 13 Discussion and possible action regarding whether a single employee with the proper training and certification may perform the duties of a medical assistant, physical therapy tech, and a chiropractic assistant within the context of a multi-disciplinary practice. – For possible action.

Dr. Jason Jaeger presented in the capacity as a licensed Nevada chiropractic physician and as the CEO of their organization. Dr. Jaeger explained that he operates a multi-discipline practice including medical providers, nurse practitioners, physical therapists and chiropractic physicians. Dr. Jaeger stated that he has been exploring whether a single individual that holds the appropriate training could wear multiple hats, meaning a physical therapy tech, medical assistant and a chiropractic assistant. Dr. Jaeger stated that he reached out to legal counsel at the State Board of Medical Examiners and the State Board of Physical Therapy Examiners who explained that their statutes and regulations allow this. Dr. Jaeger stated that he is before this Board to obtain an opinion from the Board, from Mr. Ling or from the Attorney General's office on whether performing multiple roles would violate the chiropractic regulations or statutes.

Mr. Ling inquired about how the recordkeeping will be kept straight? Dr. Jaeger assured that with the system in place it is very easy. Dr. Canada also assured that is easy for everyone to stay in their lane. Mr. Ling confirmed that the chiropractic laws do not dis-allow someone to have more than one certification or assignment.

Dr. Overland made a motion to allow an employee working in a multi-disciplinary practice to perform duties in accordance with regulations of medical systems as a medical assistant, a chiropractic assistant or a physical therapy tech. Dr. Canada added that the individual must have the appropriate training. Ms. DiFillippo seconded, and the motion passed with all in favor.

Agenda Item 10 - Discussion and potential action regarding the reinstatement application for licensure of Todd Gardner DC (Note: The Board may go into closed session pursuant to NRS 241.030 to consider the character alleged misconduct, or professional competence of Dr. Gardner). – For possible action.

Dr. Canada welcomed Dr. Gardner and gave him the opportunity to move into a closed session. Dr. Gardner declined moving into a closed session. Dr. Canada stated that at the July 15, 2021 meeting the Board discussed a number of recommendations that Dr. Gardner should complete and provide to the Board. Dr. Gardner stated that he passed the Nevada jurisprudence exam, took the Ethics & Boundaries Assessment-Substance Abuse section and is awaiting the results, he is signed up with the Professionals Recovery Network (PRN) in Las Vegas, NV and meets with Mark Chase with the PRN every Wednesday by zoom and once per month in-person, he provided confirmation of his AA meeting sign-in sheet, and provided a personal letter to the Board. Dr. Gardner explained that, not only is he doing this

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for himself, but also for his parents, who he cares for. Dr. Gardner stated that he truly feels that he has come a long way over the last 36 months and feels that Mr. Chase will be a valuable asset to him. Dr. Overland inquired as to whether Dr. Gardner fulfilled the recommendations made during the last meeting. Julie Strandberg stated that he had. Dr. Canada asked Dr. Gardner if he was on probation and Dr. Gardner affirmed that he will be for four more years and meets with his probation officer at random times.

Ms. DiFillippo moved to approve Dr. Gardner's application and issue his license contingent upon passing the Ethics & Boundaries Assessment-Substance Abuse section. Ms. DiFillippo stated that Dr. Gardner's Board probation be in accordance with the four years he will be on court ordered probation, contract with the Professional Recovery Network for four years with quarterly reports provided to the Board, and submit a quarterly email to the Executive Director reporting on how he is doing. Dr. Overland seconded for comments. Dr. Overland suggested that the motion include that if Dr. Gardner fails to meet any of the conditions his license be immediately suspended, subject to further disciplinary action. Ms. DiFillippo approved that this language be included in her motion and the motion passed with all in favor.

Agenda Item 11 Discussion and potential action regarding the citation in the Matter of Daniel Lai, DC - For possible action. (Note: The Board may go into closed session pursuant to NRS 241.030 to consider the character alleged misconduct, or professional competence of Dr. Lai)

Dr. Canada welcomed Dr. Lai and gave him the opportunity to move into a closed session. Dr. Lai declined moving into a closed session. Dr. Canada stated that Dr. Lai is contesting the citation for allegedly allowing CA's to perform modalities without having a CA application on file with the Board. Dr. Lai stated that there was a misunderstanding and explained that he hires front desk personnel and if they fit in, then he starts them in the CA program. Dr. Lai stated that the office manager misunderstood, which is why the beginning training date provided on the CA application is the employees hire date. Julie Strandberg explained that she spoke with Dr. Lai on July 17, 2019 to explain that a CA application must be submitted with 15 days of the applicant starting their CA duties. Julie Strandberg stated that she followed up with a certified letter to Dr. Lai memorializing the conversation with a signed receipt from his office. This citation was issued after receiving a CA application on March 18, 2021 that identified the CA training start date as August 25, 2020. Ms. DiFillippo asked if there had been a conversation with the applicants and Julie Strandberg confirmed that there had not. Ms. DiFillippo asked Dr. Lai if he had employee records that reflect the hire date versus when they were promoted to a CA in training, and Dr. Lai indicated that he did not. Ms. DiFillippo stated that without records and without speaking to the CA applicants she feels that she is missing some information. Dr. Overland asked why the investigation board member did not speak to the applicants?

Dr. Canada made a motion to table this agenda item. Dr. Overland seconded, and the motion passed with all in favor.

Agenda Item 12 Discussion and potential action regarding the application for licensure of Robert Anderson, DC - For possible action. (Note: The Board may go into closed session pursuant to NRS 241.030 to consider the character alleged misconduct, or professional competence of Dr. Anderson)

Dr. Canada welcomed Dr. Anderson and gave him the opportunity to move into a closed session. Dr. Anderson declined moving into a closed session. Dr. Canada referred to the question

on the application that was not answered in accordance with his background. Dr. Anderson stated that in 2005 he was stopped for an invalid driver's license and in 2006 he received a speeding ticket, however the fines were not paid timely. Dr. Anderson stated that he answered no, that he had not been arrested since the question states other than a traffic violation. Dr. Anderson stated that in 2008 he was arrested for a domestic dispute and was acquitted.

Ms. DiFillippo made a motion to deny Dr. Anderson's application and that he reappplies and correctly responds to the question. Dr. Overland seconded, and the motion passed with all in favor.

Agenda Item 14 PUBLIC HEARING for the adoption of a Regulation to Nevada Administrative Code Chapter 634 Known As LCB File No. 179-20 – For possible action.

Mr. Ling summarized the revisions to the Boards' regulations. Dr. Canada called for public comment. There was no public comment. Dr. Canada closed public comment.

Dr. Overland made a motion to adopt the revisions to the language made in R179-20. Dr. Martinez seconded, and the motion passed with all in favor.

Agenda Item 15 Discussion and possible action regarding Board communication with licensees – For possible action.

Julie Strandberg explained that this agenda item was the result of the self-inspection discussion.

Dr. Overland stated that the means of communication with licensees was discussed at the FCLB/NBCE District meeting in the context of emails going to the junk file. Dr. Overland asked how that could be rectified? Julie Strandberg stated that if a new law requires licensees to act on something then a mailer may be necessary, however if the requirement is on-going, licensees should know the law and it should be their responsibility to follow through. Dr. Overland recommended that this information be included in the next newsletter emphasizing it is the licensee's responsibility to know the laws.

Ms. DiFillippo stated that there is not a requirement provided in the regulation that the licensee provide the Board with their email address and recommended that the regulations be revised to include email. Mr. Ling confirmed that licensees are not required to provide an email address, however it is on all of the applications and the law does say that they have to provide a complete application in the form that the Board provides, so that is how we have been gathering email addresses.

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 19-12S (Rovetti)

Dr. Rovetti was not present to report.

B. Complaint 20-01N (Rovetti)

Dr. Rovetti was not present to report.

C. Complaint 20-03N (Rovetti)

Dr. Rovetti was not present to report.

D. Complaint 21-01S (Nolle)

On behalf of Dr. Nolle, Julie Strandberg stated that this complaint is still under investigation.

- E. Complaint 21-02S (Colucci)**
This is the matter of Dr. Daniel Lai, which was tabled under agenda item 11.
- F. Complaint 21-03S (Canada)**
Dr. Canada stated that this complaint is against a DC who had criminal charges brought against him. A citation was issued to the chiropractic physician for failing to report a felony on his renewal application to include a \$150.00 fine and \$150.00 Board costs, which has been satisfied. The Board will wait for the results of the trial.
- G. Complaint 21-07N (Colucci)**
On behalf of Dr. Colucci, Julie Strandberg stated that this complaint is still under investigation.
- H. Complaint 21-09S (Colucci)**
On behalf of Dr. Colucci, Julie Strandberg stated that the complainant alleged that the DC asked them to conduct duties other than what they were hired to do, such as clean, iron, etc., which are not under the Boards purview, so the recommendation is to dismiss. Dr. Overland moved to dismiss complaint 21-09S. Ms. DiFillippo seconded, and the motion passed with all in favor.
- I. Complaint 21-10S (Colucci)**
On behalf of Dr. Colucci, Julie Strandberg stated that the complainant alleged that the DC asked them to conduct duties other than what they were hired to do, such as clean, iron, etc. as well as that there was an employee performing CA duties who was not registered with the Board. Based on correspondence received from the chiropractic physicians' attorney the employee was an intern. It is being recommended that this complaint be dismissed with a letter of instruction to explain that pursuant to NAC 634.423 the chiropractic physician is required to submit documentation to the Board if they allow an individual to work in their office as an intern. Dr. Martinez moved to dismiss complaint 21-10S. Dr. Overland seconded, and the motion passed with all in favor.
- J. Complaint 21-11N (Martinez)**
Dr. Martinez stated that the complainant alleged that the chiropractic physician was not requiring that a face covering be worn, however following a discussion with the chiropractic physician they indicated that they would be compliant. Dr. Martinez recommended dismissal. Ms. DiFillippo moved to dismiss complaint 21-11N. Dr. Overland seconded, and the motion passed with all in favor.
- K. Complaint 21-12N (Canada)**
- L. Complaint 21-14S (Canada)**
- M. Complaint 21-15S (Canada)**
- N. Complaint 21-16N (Canada)**
- O. Complaint 21-17S (Canada)**
- P. Complaint 21-18S (Canada)**
- Q. Complaint 21-19S (Canada)**
- R. Complaint 21-20N (Canada)**
- S. Complaint 21-21S (Canada)**
- T. Complaint 21-22S (Canada)**
- U. Complaint 21-23S (Canada)**
Dr. Canada stated that action was taken on 21K through 21U under agenda item 7.
- V. Complaint 21-24S (Colucci)**

On behalf of Dr. Colucci, Julie Strandberg stated that the complainant alleged that the chiropractic physician was not requiring that a face covering be worn. A letter was sent to the chiropractic physician reminding them of the Governor's declaration. It is being recommended that this complaint be dismissed. Dr. Canada made a motion to dismiss complaint 21-24S. Dr. Overland seconded, and the motion passed with all in favor.

W. Complaint 21-25N (Colucci)

On behalf of Dr. Colucci, Julie Strandberg stated that the complainant alleged that the chiropractic physician was not requiring that a face covering be worn by staff or patients. A letter was sent to the chiropractic physician reminding them of the Governor's declaration. It is being recommended that this complaint be dismissed. Ms. DiFillippo made a motion to dismiss complaint 21-25N. Dr. Martinez seconded, and the motion passed with all in favor.

X. Complaint 21-26N (Colucci)

On behalf of Dr. Colucci, Julie Strandberg stated that the complainant alleged that the chiropractic physician was not requiring that a face covering be worn by staff or patients. The chiropractic physician responded indicating that due to their religious belief masks would not be required. Julie Strandberg stated that this complaint is still under investigation.

Y. Complaint 21-27S (Martinez)

Dr. Martinez stated that this was a financial complaint. The chiropractic physician refunded the patient their money, so Dr. Martinez recommended dismissal. Ms. DiFillippo made a motion to dismiss complaint 21-27S. Dr. Overland seconded, and the motion passed with all in favor.

Z. Complaint 21-28S (Colucci)

On behalf of Dr. Colucci, Julie Strandberg stated that the complainant purchased a package of treatments, however after a few treatments, decided that they didn't need the services and requested a refund. Once the complaint was filed the patient received a refund. It is being recommended that this complaint be dismissed. Ms. DiFillippo made a motion to dismiss complaint 21-28S. Dr. Martinez seconded, and the motion passed with all in favor.

AA. Complaint 21-29N (Canada)

Dr. Canada stated that this complaint is under investigation.

Agenda Item 17 Board Counsel Report – No action

Mr. Ling stated that he did not have anything to report.

Agenda Item 18 FCLB/NBCE Matters – No action.

Dr. Overland shared the highlights of the topics discussed at the District I & IV meeting in Montana. Dr. Overland stated that there was much discussion around mental illness, alcoholism being part of that and how the Boards are handling these licensees by utilizing EBAS and other outside organizations similar to the Professional Recovery Network. There was discussion on the definition of Specialty Certification and Nevada has the most robust definition with the 100-hour course requirement to obtain a Certification. There was discussion on corporate ownership with the focus being on the Joint where there continue to be issues in several states. Dr. Overland stated that Oregon made corporate ownership cumbersome, so the

Joint clinics are no longer part of that franchise, but are under individual ownership. There was discussion regarding continuing education. Dr. Overland stated that one state requires new applicants to attend a minimum of five hours of a Board meeting and Dr. Overland referred to the DC that we heard from earlier today stating that he was afraid to speak to the Board. Dr. Overland also shared that when he was on the NCA he would contact the Board on behalf of a licensee because they didn't want their name to be behind their question(s) because they were afraid of retribution or afraid of being followed. Dr. Overland stated that there was discussion regarding Alpha biotics created by Virgil Chrane, and is an axial distraction adjustment. Followers of Dr. Chrane are not licensees in the state and open what they call a church to perform their Alpha-Biotics maneuvers and reimbursement is a "monetary love" donation. There is currently an ongoing investigation in Oklahoma and Texas for practicing without a license. There was discussion on telehealth as it relates to how chiropractic physicians should stay involved in telehealth with respect to rehab, exercises, etc. There was a discussion on expungement of records and how long states keep different disciplinary records. There was a message cautioning the states to be self-aware of diversity and inclusion of individuals. FCLB will once again apply for the interstate compact grant in early Spring.

Agenda Item 19 Consideration of potential additions, deletions, and/or amendments to NRS 634 and NAC 634– For possible action.

There was no discussion.

Agenda Item 20 Committee Reports

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

Dr. Martinez stated that he had nothing to report.

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

Dr. Colucci was not in attendance.

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

Dr. Rovetti was not in attendance.

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

1. Set CA exam schedule
 - a. Discuss alternative exam scheduling
 - b. February (in-person/on-line)
 - c. June (on-line only)
 - d. August/September (in-person/on-line)

Dr. Canada stated that her and Julie Strandberg discussed allowing chiropractic assistants to take the exam on-line upon eligibility rather than making them wait for the scheduled dates if they so choose. Dr. Canada stated that allowing the CAs to take the exam more frequently if they wish to take the exam on-line, may allow CA's who are valued employees, but struggle with exams, to keep their job. Dr. Canada questioned whether the pass rate would be higher if the exam was offered in other languages. Mr. Ling indicated that we could offer the exam in other languages, however if we are going to start accommodating this, we would be required to accommodate all language requests and that could get very expensive and has the potential to compromise the security of the exam, because now you have copies of the exam among various translators. Ms. DiFillippo stated that there are going to be exceptions, the exam is in place to protect the public and the Board wants to be sure applicants understand the laws.

Dr. Canada stated that she would set the CA exam dates with Julie Strandberg following the meeting.

Agenda Item 21 Executive Director Reports:

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

Julie Strandberg gave an overview of the executive director reports.

Agenda Item 22 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, 2021 – No action.**
- F. Budget to Actual at August 31, 2021 – No action.**

Julie Strandberg gave an overview of the financial reports

Agenda Item 23 Discussion and potential action regarding the Board’s 2022 meeting schedule - For possible action.

Dr. Canada made a motion to set the 2022 Board meeting as follows: January 13, April 14, July 14, and October 13. Dr. Overland seconded, and the motion passed with all in favor.

Agenda Item 24 NCA Report – No action

Dr. Mark Brown, a Northern Nevada Board member reported on behalf of the NCA stating that the NCA did not hold continuing education this year, however will be putting on a continuing education class next Spring. The NCA will also be holding chiropractic assistant training. The NCA is currently updating their website due to some issues over the last year and will be transferring the NCA phone number to a chiropractic physician. The NCA will be teaching how to be cyber secure within the chiropractic office that meets the HIPPA standard. Dr. Brown stated that he has been a cyber-security expert for a while and stated that he would like to share some information on how to protect the Board.

Agenda Item 25 NCC Report – No action

Dr. Adam Ingles reported on behalf of the NCC stating that they held their 6th annual convention in Las Vegas, with 24 in attendance. Alicia Yochum, DACBR provided information relating to imaging. Dr. Maltby was scheduled to present, however was unable to attend, so the seminar was 10 CEU’s rather than 12. The sponsors included NCMIC, The Neck and Back Clinics, Richard Harris law firm, Dr. Khavkin from the Khavkin Clinic, and others. Dr. Khavkin was also in attendance and was able to comment on several surgical cases. The NCC will be holding its next seminar on April 9, 2022 in Reno, NV and will feature Dr. Sherry McAllister from the Foundation for Chiropractic Progress and Dr. Mario Fucinari, who will discuss documentation. Dr. Ingles announced that the NCC is now PACE approved. The NCC released their video titled, “The Best Alternative to Opioids,” which will be given to all of the NCC members. The NCC is currently at 40 members and are waiting for 10 chiropractic physicians to renew. Dr. Ingles stated that the NCC has grown this year and continue to disseminate

October 28, 2021

information regarding COVID-19. The NCC has recently updated their website by including the Chiropractic Therapy Assistant program guide. Dr. Ingles inquired about how a chiropractic physician can obtain the names of recently licensed chiropractic physicians. Julie Strandberg stated that the Board can provide the list of chiropractic physicians upon request to any DC at no cost.

Agenda Item 26 Public Interest Comments – No action.

There were no public comments. Julie Strandberg reminded the Board that both consumer seats on the Board are open, so if you know anyone who might be interested, ask them to apply with the Governor's Office.

Agenda Item 27 Adjournment – For possible action.

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

January 13, 2022

James T. Overland Sr., DC
Secretary-Treasurer

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 4 Legislative Matters – For possible action
A. Strategies 360 - Dan Musgrove**

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Dan Musgrove**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 4

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 5 Discussion and potential action regarding the citation in the Matter of Daniel Lai, DC - For possible action. (Note: The Board may go into closed session pursuant to NRS 241.030 to consider the character alleged misconduct, or professional competence of Dr. Lai)

**POTENTIAL MOTIONS: 1. Motion to approve.
2. Motion to deny.**

PRESENTED BY: Margaret Colucci, DC

MEETING DATE: February 3, 2022

TIME REQUIRED: 20 minutes

BACKGROUND INFORMATION: Dr. Lai contested the citation and appeared before the Board at its October 28, 2021 meeting. The Board voted to table this agenda item and asked that the IBM contact the CA applicants to confirm their hire date and CA training start date.

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 5

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

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CERTIFIED MAIL NO. 7021 0350 0001 8120 2525

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

CITATION

CITATION NO: 21-01

THE CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
HEREBY ISSUES THIS CITATION TO:

Daniel Lai, D.C.
License No. B02007
6330 Spring Mountain Rd., Ste. C
Las Vegas, Nevada 89146

THE CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA HEREBY DECLARES UNDER PENALTY OF PERJURY THAT ON, BEFORE, AND ABOUT THE DATE OF THIS CITATION AND ON A CONTINUOUS BASIS IN LAS VEGAS, NEVADA AND ELSEWHERE DID UNLAWFULLY ENGAGE IN THE FOLLOWING ACTIVITY, TO WIT:

Daniel Lai, D.C. is a chiropractic physician licensed in Nevada since June 10, 2005 (License No. B02007). Dr. Lai practices chiropractic at a practice he owns called Spring Mountain Chiropractic, 6330 Spring Mountain Rd., Ste. C, in Las Vegas, Nevada. On March 11, 2019, the Board received three Applications for Chiropractor's Assistant that reported training start dates of 7/28/10, 6/13/16, and 2/2/17. Initially Board staff verbally communicated with Dr. Lai reminding him that pursuant to NAC 634.360 an Application for Chiropractor's Assistant must be submitted within the first 15 days during which he or she performs any duties as a chiropractor's assistant. Thereafter, Board staff also sent a letter of similar import by certified letter on July 18, 2019. In the letter, Board staff cautioned Dr. Lai that future similar violations of NAC 634.360 would result in Board action. On March 18, 2021 the Board received an Application for Chiropractor's Assistant which indicated the beginning date of training was 8/25/20 and the ending date of training as 8/25/21.

**ALL OF THE ABOVE IS CONTRARY TO
NEVADA REVISED STATUTES 634.018(11) and 634.140(1) and
NEVADA ADMINISTRATIVE CODE 634.360.**

For the violation, you are hereby issued this citation and are assessed: (1) a fine in the amount of \$2,000.00 (\$500.00 per each CA Application) due and payable immediately, and (2) the successful taking and passing of the Board's Jurisprudence Examination within 30 days of the date of the service of this Citation.

You are further ordered to cease and desist from allowing any employee to provide any services listed in NAC 634.348 unless that employee is registered with the Board as a chiropractor's assistant. Failure to immediately cease and desist from allowing any employee to provide any service listed in NAC 634.348 until that employee is registered with the Board as a chiropractor's assistant may result in your being cited for additional violations and may result in legal action, including potential disciplinary action before the Board and/or criminal charges.

You may resolve this matter by paying the fine and scheduling to take the jurisprudence examination within five days of the service of the citation. Please pay the fine by certified check or cashier's check for the full amount of the assessed fine made payable to "Chiropractic Physicians' Board of Nevada." Additionally, within five days of the service of the Citation, you must provide written assurance that you have ceased employing any person to provide any of the services listed in NAC 634.348 unless that employee is registered with the Board as a chiropractor's assistant in Nevada. If you pay the fine, take the examination, and provide the written assurance of the cessation, it will constitute a satisfactory resolution of the matter for purposes of public disclosure of the disposition of the violation.

If you wish not to resolve the matter as described in the preceding paragraph and to contest the charges made herein, you may appeal the findings of this violation by written request to the Chiropractic Physicians' Board of Nevada, which must be received at the Board's office within 30 days after the date of the issuance of the citation. If you seek an appeal, a hearing will be scheduled before the Board at its next regularly scheduled meeting. If you seek an appeal, you must appear at the hearing before the Board. If you appeal and are unsuccessful, the Board may assess its attorney's fees and costs of the hearing against you in addition to the fine assessed in this citation.

If you do not timely accept the terms of resolution and do not appeal the matter to the Board pursuant to the above paragraphs, the Board may proceed as it deems appropriate to collect the fine and may assess attorney's fees and costs incurred in the investigation, prosecution, and collection of sums due herein. The Board may also take such legal action as it deems necessary to prevent future and further violations of the type and nature described herein.

May 10, 2021
DATE OF ISSUANCE

D. J. Colucci
SIGNATURE OF BOARD MEMBER

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 6 Election of Officers - For possible action.**

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: **Pursuant to NAC 634.140 the Board will elect officers at the first regular meeting of the Board during each even-numbered year.**

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** - Reassign Committees - For possible action.

POTENTIAL MOTION: **No recommendation.**

PRESENTED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

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

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 8 NCA Report – No action.**

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

PRESENTED BY: **TBA**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 8

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 9 NCC Report – No action**

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

PRESENTED BY: **TBD**

MEETING DATE: **February 3, 2022**

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 10 Discussion and potential action regarding the CA program – For possible action.

POTENTIAL MOTION: No recommendation.

PRESENTED BY: John Bertoldo, DC

MEETING DATE: February 3, 2022

TIME REQUIRED: 15 minutes

BACKGROUND INFORMATION: Dr. David Rovetti asked the Board at its July 15, 2021 meeting to discuss the CA program with a Board member and report back to the Board. Dr. Rovetti met with Mr. Bertoldo to hold this discussion.

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 11 Discussion and potential action regarding the use of a percussive Thera-gun by a chiropractic assistant.- For possible action.

**POTENTIAL MOTION: 1. Motion to approve.
 2. Motion to deny.
 3. Motion to table.**

PRESENTED BY: Margaret Colucci, DC

MEETING DATE: February 3, 2022

TIME REQUIRED: 15 minutes

BACKGROUND INFORMATION: A DC contacted the Board to inquire whether a CA may use a percussive Thera-gun on a patient.

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 12 Discussion and potential action regarding Continuing Education requirements – For possible action.

- A. New licensees' attendance at a Board meeting.
- B. Require 50% of the continuing education credits (18 credits) be completed on-line and 50% of the continuing education credits (18 credits) be completed in-person or any combination of the continuing education hours.

POTENTIAL MOTION: No recommendation.

PRESENTED BY: James Overland Sr., DC

MEETING DATE: February 3, 2022

TIME REQUIRED: 15 minutes

BACKGROUND INFORMATION: Following discussion at the District I & IV meeting Dr. Overland asked that the Board discuss requiring new licensees attend a Board meeting to gain an understanding of how the Board operates.

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 13 FCLB/NBCE Matters – For possible action.**

- A. Selection of Board's choice for FCLB Voting Delegate
- B. Selection of Board's choice for FCLB Alternate Delegate
- C. Selection of Board's choice for NBCE Voting Delegate
- D. Selection of Board's choice for NBCE Alternate Delegate
- E. Attendance of Board Member(s) at the FCLB's 95th Annual Educational Congress May 4-7, 2022 Denver, CO
- F. Selection of Board Member to participate in the Spring National Board Part IV Exam - May TBD, 2022
- G. Selection of Board Member to participate in the National Board Part IV Test Committee meeting - June TBD, 2022
- H. Selection of Board Member to participate in the Fall National Board Part IV Exam - November TBD, 2022
- I. Nominate a Board member to serve on the PACE Review Team.
- J. Other FCLB/NBCE matters.

RECOMMENDED MOTION: **No recommended motion.**

PRESENTED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 13

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 14 Board Counsel Report – No action.**

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

PRESENTED BY: **Louis Ling, Esq.**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **10 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 14

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: Margaret Colucci, DC

MEETING DATE: February 3, 2022

TIME REQUIRED: 45 minutes

BACKGROUND INFORMATION:

- A. Complaint 19-12S (Rovetti)**
- B. Complaint 20-01N (Rovetti)**
- C. Complaint 20-03N (Rovetti)**
- D. Complaint 21-01S (Nolle)**
- E. Complaint 21-02S (Colucci)**
- F. Complaint 21-03S (Canada)**
- G. Complaint 21-07N (Colucci)**
- H. Complaint 21-26N (Colucci)**
- I. Complaint 21-29N (Canada)**
- J. Complaint 21-30N (Colucci)**
- K. Complaint 21-31S (Colucci)**
- L. Complaint 21-32S (Overland)**
- M. Complaint 21-33S (Martinez)**
- N. Complaint 22-01S (Canada)**
- O. Complaint 22-02N (Colucci)**

REVIEWED BY: President Secretary 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 19-12S (Dr. Rovetti)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Morgan Rovetti, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged unprofessional conduct.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15A

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 20-01N (Dr. Rovetti)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Morgan Rovetti, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged unprofessional conduct.**

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 20-03S (Dr. Rovetti)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Morgan Rovetti, DC**

MEETING DATE: **February 3, 2021**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged that the DC will not release his wife's records to him.**

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 21-01S (Dr. Nolle)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Julie Strandberg, Executive Director

MEETING DATE: February 3, 2022

TIME REQUIRED: 3 minutes

BACKGROUND INFORMATION: The complainant alleged that their treatments would be billed to Medicare, however the charges were not billed to Medicare, but charged to her personal credit card.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15D

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 21-02S (Dr. Colucci)

RECOMMENDED MOTION: **Recommend dismissal.**

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **At the Boards October 28, 2021 meeting the Board asked that the IBM reach out to each CA to confirm their hire date and training start date, which was done.**

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 21-03S (Dr. Canada)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Nicole Canada, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **Pending the results of the civil suit.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15F

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 21-07S (Dr. Colucci)

RECOMMENDED MOTION: Dismissal with a letter of instruction.

PREPARED BY: Margaret Colucci, DC

MEETING DATE: February 3, 2022

TIME REQUIRED: 3 minutes

BACKGROUND INFORMATION: This complaint was filed by an Idaho D.O. who indicated that a patient visited an Idaho hospital after being grossly volume overloaded by a DC and his nursing staff. Following an investigation this complaint was referred to the Nursing Board.

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 21-26N (Dr. Colucci)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged that the DC was not requiring masks per the Governor's emergency declaration. A letter was sent to the DC reminding them that patients and staff are required to wear a face covering. The DC's attorney has confirmed that the DC will comply with the mask mandate.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 15H

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 21-29S (Dr. Canada)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Nicole Canada, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged unprofessional conduct.**

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 21-30N (Dr. Colucci)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2021**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged unprofessional conduct.**

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 21-31S (Dr. Colucci)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2021**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged unprofessional conduct.**

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 21-32S (Dr. Overland)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: James T. Overland Sr., DC

MEETING DATE: February 3, 2021

TIME REQUIRED: 3 minutes

BACKGROUND INFORMATION: The complainant alleged that the chiropractic physician will not release their patient records.

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 21-33S (Dr. Martinez)

RECOMMENDED MOTION: No recommendation.

PREPARED BY: Xavier Martinez, DC

MEETING DATE: February 3, 2021

TIME REQUIRED: 3 minutes

BACKGROUND INFORMATION: Violation of NAC 634.425 failure to report a claim involving malpractice within 15 days of the settlement. A citation was issued to the DC and mailed to their last known address by certified mail, which was returned, unable to forward.

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 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 22-01S (Dr. Canada)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Nicole Canada, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged unprofessional conduct.**

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 22-02S (Dr. Colucci)

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2021**

TIME REQUIRED: **3 minutes**

BACKGROUND INFORMATION: **The complainant alleged misleading advertising on a website.**

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

- A. Revise NAC 634.380(1) to include an Email address used for work purposes.
- B. Revise NRS/NAC to allow chiropractic physicians to direct treatments that are within their scope of practice to Registered Nurses. (See attached)
- C. Revise NRS 634.090(1)(b) to remove the requirement that the applicant provides their proof of high school education.

RECOMMENDED MOTION: **No recommendation.**

PRESENTED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **15 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: X President X Secretary X Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 16

NAC 634.380 Notification of Board regarding address of legal residence and mailing address. ([NRS 634.030](#))

1. A chiropractic physician or chiropractor's assistant who is licensed or certified by the Board shall:

- (a) Provide the Board with the address of his or her current legal residence; and
- (b) Notify the Board, in writing, of any change in his or her legal residence within 15 days after the change.

(c) [Provide the Board with the email address used for work purposes.](#)

2. In addition to providing the Board with the address of each office where he or she practices pursuant to [NRS 634.129](#), and the address of his or her legal residence, a chiropractic physician or chiropractor's assistant may provide the number of a post office box which is to be used as his or her mailing address.

NRS 0.040 “Physician” defined and limited.

1. Except as otherwise provided in subsection 2, “physician” means a person who engages in the practice of medicine, including osteopathy and homeopathy.

2. The terms “physician,” “osteopathic physician,” “homeopathic physician,” “chiropractic physician” and “podiatric physician” are used in [chapters 630, 630A, 633, 634 and 635](#) of NRS in the limited senses prescribed by those chapters respectively.

(Added to NRS by [1977, 954](#); A [1983, 1492](#); [1985, 221](#); [1995, 1071](#))

NRS 632.018 “Practice of professional nursing” defined. “Practice of professional nursing” means the performance of any act in the observation, care and counsel of the ill, injured or infirm, in the maintenance of health or prevention of illness of others, in the supervision and teaching of other personnel, in the administration of medications and treatments as prescribed by an advanced practice registered nurse, a licensed physician, a physician assistant licensed pursuant to [chapter 630](#) or [633](#) of NRS, a licensed dentist or a licensed podiatric physician, requiring substantial specialized judgment and skill based on knowledge and application of the principles of biological, physical and social science, but does not include acts of medical diagnosis or prescription of therapeutic or corrective measures.

(Added to NRS by [1987, 1525](#); A [1993, 2218](#); [1999, 1325](#); [2001, 2, 792](#); [2007, 1828](#); [2013, 2071](#))

NAC 632.220 Medication and treatment of patients; response to orders; adjustment of dosage or frequency of medication. (NRS 632.120)

1. A registered nurse shall perform or supervise:

(a) The verification of an order given for the care of a patient to ensure that it is appropriate and properly authorized and that there are no documented contraindications in carrying out the order;

(b) Any act necessary to understand the purpose and effect of medications and treatments and to ensure the competence of the person to whom the administration of medications is delegated; and

(c) The initiation of intravenous therapy and the administration of intravenous medication.

2. A registered nurse shall take orders only from a licensed physician, physician assistant, dentist, podiatric physician or advanced practice registered nurse. A registered nurse may refuse an order if he or she takes appropriate action to ensure the safety of a patient.

3. If a prescription specifies a range of the dosage or frequency for the administration of a medication, a registered nurse may adjust the dosage or frequency of the medication within that range when he or she administers the medication to a patient.

(Added to NAC by Bd. of Nursing, eff. 11-2-87; A by R070-00, 6-20-2000; R122-01, 12-17-2001)

NRS 634.090 Licenses: Qualifications of applicants.

1. An applicant must, in addition to the requirements of [NRS 634.070](#) and [634.080](#), furnish satisfactory evidence to the Board:

(a) That the applicant is of good moral character;

(b) Except as otherwise provided in subsections 2 and 5, that the applicant has a ~~high school education~~ and is a graduate from a college of chiropractic which is accredited by the Council on Chiropractic Education or which has a reciprocal agreement with the Council on Chiropractic Education or any governmental accrediting agency, whose minimum course of study leading to the degree of doctor of chiropractic consists of not less than 4,000 hours of credit which includes instruction in each of the following subjects:

- (1) Anatomy;
- (2) Bacteriology;
- (3) Chiropractic theory and practice;
- (4) Diagnosis and chiropractic analysis;
- (5) Elementary chemistry and toxicology;
- (6) Histology;
- (7) Hygiene and sanitation;
- (8) Obstetrics and gynecology;
- (9) Pathology;
- (10) Physiology; and
- (11) Physiotherapy; and

(c) That the applicant has successfully:

(1) Completed parts I, II, III and IV, and the portion relating to physiotherapy, of the examination administered by the National Board of Chiropractic Examiners or its successor organization; or

(2) Completed an examination that is required to graduate from a college of chiropractic which is accredited by the Council on Chiropractic Education or which has a reciprocal agreement with the Council on Chiropractic Education or any governmental accrediting agency. Such an examination must be:

- (I) Administered by such a college; and
- (II) Approved by the Board.

2. The Board may, for good cause shown, waive the requirement for a particular applicant that the college of chiropractic from which the applicant graduated must be accredited by the Council on Chiropractic Education or have a reciprocal agreement with the Council on Chiropractic Education or a governmental accrediting agency.

3. Except as otherwise provided in subsections 4 and 5, every applicant is required to submit evidence of the successful completion of not less than 60 credit hours at an accredited college or university.

4. Any applicant who has been licensed to practice in another state, and has been in practice for not less than 5 years, is not required to comply with the provisions of subsection 3.

5. If an applicant has received his or her training and education at a school or college located in a foreign country, the Board may, if the Board determines that such training and education is substantially equivalent to graduation from a college of chiropractic that is accredited by the Council on Chiropractic Education and otherwise meets the requirements specified in paragraph (b) of subsection 1, waive the requirement that an applicant attend or graduate from a college that:

(a) Is accredited by the Council on Chiropractic Education; or

(b) Has a reciprocal agreement with the Council on Chiropractic Education or a governmental accrediting agency.

[Part 7:23:1923; A [1929, 280](#); [1949, 655](#); [1951, 258](#); [1955, 506](#)] — (NRS A [1965, 352](#); [1971, 562](#); [1975, 118](#); [1983, 421](#); [1991, 2082](#); [1997, 820](#); [2001, 5](#); [2003, 3445](#); [2015, 510](#); [2019, 2288](#))

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 17 Committee Reports**

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

RECOMMENDED MOTION: **No recommendation.**

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **15 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:

- A. Status of Pending Complaints – No action.**
- B. Status of Current Disciplinary Actions – No action.**
- C. Legal/Investigatory Costs – No action.**
- D. DC licenses to applicants who passed the examination from October to December 2021 and January 2022 – No action.**
- E. Business Entity Registrations – No action.**

RECOMMENDED MOTION: Non-Action Item.

PREPARED BY: Julie Strandberg, Executive Director

MEETING DATE: February 3, 2022

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: Please see the attached list of chiropractic physicians' licensed from October to December 2021 and January 2022. Please see the attached list of Business Entity Registrations.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

STATUS OF PENDING COMPLAINTS – February 3, 2022

<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>
19-12S	9/18/2019	Rovetti	Alleged unprofessional conduct	Under investigation	\$480.00
20-01N	Staff: Updates	Rovetti	Alleged unprofessional conduct-practicing below the standards of care/malpractice	Under investigation	
20-03N	2/26/2020	Rovetti	Failure to provide patient records	Under Investigation	
21-01S	3/22/2021	Nolle	Alleged billing issues.	Under Investigation	
21-02S	3/26/2021	Colucci	Violation of NAC 634.360-failure to submit a CA application within 15 days of the CA performing CA duties.	Citation	\$15.00
21-03S	3/26/2021	Canada	DC misrepresented license reinstatement questions.	Pending Criminal Case	\$150.00
21-07N	5/24/2021	Colucci	Alleged unprofessional conduct	Dismiss with letter	
21-26N	8/26/2021	Colucci	Alleged unprofessional conduct-not requiring that masks be worn.	Dismiss	\$585.00
21-29N	10/14/2021	Canada	Alleged unprofessional conduct	Under Investigation	
21-30S	11/5/2021	Colucci	Alleged unprofessional conduct	Under Investigation	
21-31S	11/8/2021	Colucci	Alleged unprofessional conduct	Under Investigation	
21-32S	11/9/2021	Overland	Alleged violation of NRS 629.061 (1) (a)	Under Investigation	
21-33S	11/14/2021	Martinez	Violation of NAC 634.425 failure to report a claim involving malpractice within 15 days of the settlement.	Citation	

<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>
22-01S	1/3/2022	Canada	Alleged unprofessional conduct	Under Investigation	
22-02N	1/25/2022	Colucci	Alleged advertising violation	Under investigation	
DORMANT COMPLAINTS:					
11-23S	11/7/2011		Unredeemable "nsf" check written on Doctor's business account	To be held in abeyance; to be addressed if the licensee requests reinstatement in the future	
13-23N	9/30/2013		Possible malpractice	To be held in abeyance; to be addressed if the licensee requests reinstatement in the future	
18-03S	2/20/2018		Alleged unlicensed practice	Will be addressed if this individual reappears in Nevada.	

STATUS OF CURRENT DISCIPLINARY ACTIONS at February 3, 2022**Disciplinary Action with Probation****1. 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. Dr. Robinson let his license expire on 12/31/20.**

2. Michael Milman, DC, License No. B01618

On October 15, 2020 Dr. Michael Milman entered into Findings of Fact, Conclusions of Law, and Order with the Board. Dr. Milman will be on probation for five years with a practice monitor who will assure compliance with the terms and conditions of the Order. Dr. Milman was ordered to pay the Board's attorney fees and costs incurred in the investigation and prosecution of this matter totaling \$1,380.00. Dr. Milman must take and pass the Ethics & Boundaries Assessment. Dr. Milman shall maintain malpractice insurance, obtain and maintain all applicable business licensure, whether state, county, or city. Dr. Milman shall not bill any insurances, but work on a cash basis only and cannot accept personal injury cases. **Dr. Milman has satisfied all requirements of his Board order, however will remain on probation until November 9, 2025.**

Probation Only**3. Todd Gardner, DC, License No. B00495**

On October 28, 2021 Dr. Gardner appeared before the Board and was granted his license on probation with conditions. Dr. Gardner shall take and pass the Substance Abuse section of the Ethics & Boundaries Examination, any violations of the court's probationary terms shall constitute a violation of the probation under which Dr. Gardner's license was granted, contract with the Professional Recovery Network who will provide quarterly reports to the Board, Dr. Gardner must provide a quarterly email to the Executive Director reporting his status and Dr. Gardner must report any and all violations of this probation to the Board no later than three days after the violation occurs. Dr. Gardner has taken and passed the Substance Abuse section of the Ethics & Boundaries Examination. **Dr. Gardner will be monitored and meet monthly with Mark Chase with the Professional Recovery Program. Reports are attached. Dr. Gardner will remain on probation until February 24, 2025.**

Disciplinary Actions with No Probation**4. 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 \$13,846.00. Dr. Raines is in compliance with the terms of the Order.**

PRN AFTERCARE REPORT/NARRATIVE
November 30, 2021

This letter is to verify that **Todd Gardener** has complied with all the requirements outlined in the agreement he entered with PRN and subsequently approved by the Chiropractic Physicians Board of Nevada.

- This report covers the period from **November 1, 2021**, to **November 30, 2021**.
- Todd's initial diagnosis was problematic alcohol abuse.
- Per his treatment plan, Todd has been meeting with me monthly for personal counseling and attending weekly peer support meetings. Todd has maintained a positive and grateful attitude during our work together and has been open to sharing during the sessions. Dr. Gardener continues to attend AA regularly and meet with his sponsor.
- No psychosocial or significant stressors are present. Dr. Gardener has started a new job in Las Vegas, Nevada, and is excited about returning to work. He
- The State of Arizona is handling random UAs; however, that will be changing over to the State of Nevada shortly, with copies of results being provided to me. I will also be conducting UA's when meeting with Todd in the office. To date, all urine analyses have been negative for psychotropics.
- Dr. Gardener has a good recovery and self-care program and is fit to continue practicing medicine.

Please feel free to call me if you have any additional questions or concerns. I can be reached directly at (702) 335-9943 or prnmark@pm.me.

Best Regards,

Mark Chase

Mark Chase, MA, MBA
Doctoral Candidate-Neuropsychology
LCADC (NV 02479-1), CPC (NV CI697), CSAT-I
Clinical Program Director

PRN
7465 W Lake Mead Blvd., Suite 224
Las Vegas, NV 89128
(702) 562-1230

PRN AFTERCARE REPORT/NARRATIVE
December 31, 2021

This letter is to verify that **Todd Gardener** has complied with all the requirements outlined in the agreement he entered with PRN and subsequently approved by the Chiropractic Physicians Board of Nevada.

- This report covers the period from **December 1, 2021**, to **December 31, 2021**.
- Todd's initial diagnosis was problematic alcohol abuse.
- Per his treatment plan, Todd has been meeting with me monthly for personal counseling and attending weekly peer support meetings on Wednesday evenings. Todd has maintained a positive and grateful attitude during our work together. Dr. Gardener continues to attend AA meetings regularly and meet weekly with his sponsor.
- No psychosocial or significant stressors are present. Dr. Gardener has started a new job in Las Vegas and is very excited about being back practicing.
- The State of Arizona is handling random UAs; however, that will be changing over to the State of Nevada shortly, with copies of results being provided to me. I will also be conducting UA's when meeting with Todd in the office. All of Todd's urine analyses have been negative for psychotropics.
- Dr. Gardener has a good recovery and self-care program and is fit to continue practicing medicine.

Please feel free to call me if you have any additional questions or concerns. I can be reached directly at (702) 335-9943 or prnmark@pm.me.

Best Regards,

Mark Chase

Mark Chase, MA, MBA
Doctoral Candidate-Neuropsychology
LCADC (NV 02479-I), CPC (NV CI697), CSAT-I
Clinical Program Director

PRN
7465 W Lake Mead Blvd., Suite 224
Las Vegas, NV 89128
(702) 562-1230

From: Todd Gardner <tlgard2020@hotmail.com>

Sent: Thursday, December 23, 2021 12:35 PM

To: Julie Strandberg <chirobd@chirobd.nv.gov>

Subject: RE: Quarterly Status Report

I am now working five days a week in Las Vegas, Nevada for a company called Align med. We have six offices in the Las Vegas valley that I float to depending on the company needs. I fill in for sick doctors or docs going on vacation. I have been attending AA meetings three days a week and have been having zoom meetings with Mark Chase (PRN) once a week and one-on-one meetings once a month.

My home address is 2080 Karen ave. building B unit 39. My main work office is located at 2208 S Nellis blvd. Las Vegas, Nevada 89104. 702-413-7696

If you have any questions please feel free to call me at (435) 899-0325.

CHIROPRACTIC PHYSICIANS' BOARD
Legal/Investigatory Costs

Costs Incurred	October to Date	Year-To-Date Fiscal Year 2022
Advantage Group	-	0.00
Attorney General	-	138.93
Sub-Total	0.00	138.93
Staff Attorney	1,650.00	1,920.00
Total	\$ 1,650.00	\$ 2,058.93
Costs Reimbursed	Amount Paid	Amount Owed
James Overland Jr., DC	\$ 12,570.98	\$ 34,306.38
Totals	\$ 12,570.98	\$ 34,306.38
Other Outstanding Items:	Received	Pending Transfer to Treasurer/Other
	-	\$ -
	\$ -	\$ -

Licensed Chiropractic Physicians'**October**

Laura Marie Landgraf, DC
Johanna Mae Lelke, DC
Christopher Russell Smith, DC

November

Emily Marie Haugen, DC
Kiel Nebiker, DC
David Michael Opperman, DC
Grant Douglas Peters, DC
Ricardo Alonzo Rivas, DC
John Robert Vogt, DC

December

Chesica Danielle Jones, DC
Shattuck Logan Kuzmic, DC
Clifford Zongyi Tao, DC

January

Brennan Jules Attales, DC
Rennes F. Bowers, DC
Devin Charles Cathro, DC
Corbin Thomas Loveland, DC
Monique Mailingh Hamon, DC
Allison McMaster, DC
Parker Brooks Kaulana Riggin, DC
Christian Voran, DC
Julie Zakutansky, DC

Business Entity Registration

Business Entity Name	Address	City, State	Zip	Contact
B&G Chiropractic Solutions of Nevada, LLC	8935 S. Pecos Rd., Suite 21B	Henderson, NV	89074	Shalan Coleman
Elevate Sports Performance and Healthcare	10909 S. Eastern Ave.	Henderson, NV	89052	Kyle Buth, DC
Family Health Care, Inc.	2999 South Virginia Street	Reno, NV	89502	Mitchell S. Boltz, DC
Hernandez Chiropractic LLC	3600 Alliance St	Las Vegas, NV	89129	Alexander Hernandez
Joint Ventures	5110 Mae Anne Avenue, Suite 507	Reno, NV	89523	Kris Birkeland, DC
Light Brothers	10040 W. Cheyenne Ave. #130	Las Vegas, NV	89129	Shawn Light
Summit Integrated Health	3222 E. Viking Road	Las Vegas, NV	89121	Shannon Darrow, DC

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **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 – No action.**
- F. Budget to Actual – No action.**
- G. 2021 Board Audit – For possible action.**

RECOMMENDED MOTION: **A motion is necessary to approve, deny, make recommendations or table agenda item 19G, 2021 Board Audit.**

PREPARED BY: **Julie Strandberg, Executive Director**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

**CHIROPRACTIC PHYSICIANS' BOARD
BANK BALANCE REPORT
As of November 30, 2021**

AGENDA ITEM 19A

CHECKING ACCOUNT	53,106.37
SAVINGS ACCOUNT	717,128.21
SAVINGS ACCOUNT - Restricted	0.00
Paypal	1,121.96
Total Cash Balance @ 05/31/2020	\$771,356.54

ACCOUNTS RECEIVABLE SUMMARY AS OF November 30, 2021

AGENDA ITEM 19B

A/R	
Fines	20,846.00
Cost Reimbursements	35,306.38
Total A/R	\$56,152.38

**ACCOUNTS PAYABLE SUMMARY
As of November 30, 2021**

AGENDA ITEM 19C

State Treasurer - Fines collected/payable	6,304.00
Total Accounts Payable	\$ 6,304.00

AGENDA ITEM 19D

***Employee Accrued Compensation as of 11/30/2021**

	Vacation Hours	Sick-Leave Hours
Julie Standberg	17.11	1,194.28
Brett Canady	12.00	28.00

Chiropractic Physicians' Board of Nevada
Income/Expense Report To Budget - CASH BASIS
For the Period Ending November 30, 2021

AGENDA ITEM 19E

	Actual July 1, 2021 thru November 30, 2021	Budget FY 06/30/22	Variance
Revenue			
License & Fees	12,855.00	277,360.00	264,505.00
Application & Fees	18,370.00	47,810.00	29,440.00
Interest/Gain Loss on Invest	49.98	-	(49.98)
Exam Fees	4,964.04	16,667.00	11,702.96
Reinstatement Fees	975.00	2,120.00	1,145.00
Miscellaneous	5,609.00	10,130.00	4,521.00
Reimbursement Income	2,950.00	7,500.00	4,550.00
TOTAL REVENUE	\$ 45,773.02	\$ 361,587.00	\$ 315,813.98
Expenses			
Background Checks	5,018.24	9,744.00	4,725.76
Banking Expenses	2,082.32	4,747.00	2,664.68
Dues & Registration	3,999.84	6,553.00	2,553.16
Equipment Repair	-	-	-
COMPUTER: Equipment/Software/Websites	8,571.43	23,601.00	15,029.57
Insurance	768.60	876.00	107.40
Legal & Professional	27,893.11	66,705.00	38,811.89
Operating Supplies	1,712.93	1,953.00	240.07
Printing & Copying	1,194.77	2,880.00	1,685.23
Postage	1,432.49	3,934.00	2,501.51
Casual Labor - Clerical	-	2,000.00	2,000.00
Personnel	-	-	-
Office Salaries	49,520.11	128,585.00	79,064.89
Board Salaries	2,006.26	4,200.00	2,193.74
Board Meeting Expense	74.95	1,480.00	1,405.05
Workman's Compensation	1,115.40	1,600.00	484.60
Retirement - PERS	10,053.16	37,596.00	27,542.84
Employee Insurance - PEBP	8,322.92	20,856.00	12,533.08
Unemployment	89.42	1,000.00	910.58
Medicare	741.79	1,740.00	998.21
Payroll Processing	520.00	548.00	28.00
Rent	6,034.20	15,216.00	9,181.80
Telephone	767.43	1,843.00	1,075.57
Travel	-	-	-
In State	-	6,400.00	6,400.00
Out State	3,103.29	8,000.00	4,896.71
TOTAL EXPENSES	\$ 135,022.66	\$ 352,057.00	\$ 217,034.34
NET RESULT	\$ (89,249.64)	\$ 9,530.00	
BEGINNING CASH BALANCE 07/01/21	849,714.15		
NET OPERATING RESULT	760,464.51		
Equipment Purchases		2,000.00	

Chiropractic Physicians' Board of Nevada
Income/Expense Report To Budget - CASH BASIS
For the Period Ending November 30, 2021

AGENDA ITEM 19F

	Actual July 1, 2021 thru November 30, 2021	Actual July 1, 2020 thru November 30, 2020	Variance
Revenue			
License & Fees	12,855.00	126,815.00	113,960.00
Application & Fees	18,370.00	15,600.00	(2,770.00)
Interest/Gain Loss on Invest	49.98	69.48	19.50
Exam Fees	4,964.04	4,775.00	(189.04)
Reinstatement Fees	975.00	140.00	(835.00)
Miscellaneous	5,609.00	4,562.00	(1,047.00)
Reimbursement Income	2,950.00	2,987.00	37.00
TOTAL REVENUE	\$ 45,773.02	\$ 154,948.48	109,175.46
Expenses			
Background Checks	5,018.24	2,535.75	(2,482.49)
Banking Expenses	2,082.32	3,079.11	996.79
Dues & Registration	3,999.84	1,407.35	(2,592.49)
Equipment Repair	-	-	-
COMPUTER: Equipment/Software/Websites	8,571.43	7,397.64	(1,173.79)
Insurance	768.60	780.79	12.19
Legal & Professional	27,893.11	27,437.45	(455.66)
Operating Supplies	1,712.93	454.28	(1,258.65)
Printing & Copying	1,194.77	1,530.92	336.15
Postage	1,432.49	1,528.69	96.20
Casual Labor - Clerical Personnel	-	-	-
Office Salaries	49,520.11	50,333.24	813.13
Board Salaries	2,006.26	1,350.00	(656.26)
Board Meeting Expense	74.95	41.83	(33.12)
Workman's Compensation	1,115.40	1,213.00	97.60
Retirement - PERS	10,053.16	12,867.61	2,814.45
Employee Insurance - PEBP	8,322.92	8,976.45	653.53
Unemployment	89.42	133.81	44.39
Medicare	741.79	729.84	(11.95)
Payroll Processing	520.00	470.00	(50.00)
Rent	6,034.20	6,543.10	508.90
Telephone	767.43	727.81	(39.62)
Travel	-	-	-
In State	-	37.50	37.50
Out State	3,103.29	-	(3,103.29)
TOTAL EXPENSES	\$ 135,022.66	\$ 129,576.17	\$ (5,446.49)
NET RESULT	\$ (89,249.64)	\$ 25,372.31	
BEGINNING CASH BALANCE 07/01/21	543,483.13		
NET OPERATING RESULT	454,233.49		

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
FINANCIAL STATEMENTS
June 30, 2021 and 2020

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

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INDEPENDENT AUDITOR'S REPORT

To the Executive Director and the Board of Directors
Chiropractic Physicians' Board of Nevada
Reno, Nevada

Report on the Financial Statements

We have audited the accompanying statements of net position of the Chiropractic Physicians' Board of Nevada as of June 30, 2021 and 2020 and the related statements of revenues and expenses and changes in net position and statements of cash flows for the years then ended, and the related notes to the financial statements, which collectively comprise the Board's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal controls relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express opinions on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal controls relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal controls. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Basis of Qualified Opinion

Beginning fiscal year ending June 30, 2018, Government Accounting Standards required certain adjustments to the financial statements and additional disclosures to account for and report on other post-employment benefits. Due to the additional costs to comply, management decided to not include those adjustments and disclosures with the financial statements. Quantification of the effects of the departure from U.S. Generally Accepted Accounting Principles on the financial statements of June 30, 2021 and June 30, 2020 is not practicable.

Qualified Opinion

In our opinion, except for the possible effects of the matter described in the Basis for Qualified Opinion paragraph, the financial statements referred to above present fairly, in all material respects, the respective financial positions of the business-type activities of Chiropractic Physicians' Board of Nevada as of June 30, 2021 and 2020 and the respective changes in financial position and cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America requires the budgetary comparison and GASB required supplemental information be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted the management, discussion, and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. Our opinion on the basic financial statements is not affected by this missing information.

Bertrand & Associates, LLC

Carson City, Nevada
October 26, 2021

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
STATEMENT OF NET POSITION
June 30, 2021 and 2020

ASSETS	<u>2021</u>	<u>2020</u>
Current assets:		
Cash	\$ 849,713	\$ 547,313
Accounts receivable, net	60,328	63,753
Prepaid	4,850	4,511
Total current assets	<u>914,891</u>	<u>615,577</u>
Capital assets, net	-	-
Total noncurrent assets	<u>-</u>	<u>-</u>
Total assets	<u>914,891</u>	<u>615,577</u>
 DEFERRED OUTFLOWS OF RESOURCES		
Deferred outflows	<u>46,020</u>	<u>45,981</u>
 LIABILITIES		
Current liabilities:		
Accounts payable	8,487	9,582
Due to State Treasurer	39,450	27,500
Payroll liabilities	3,196	2,067
Total current liabilities	<u>51,133</u>	<u>39,149</u>
Noncurrent liabilities:		
Compensated absences	12,218	12,936
PERS net pension liability	237,502	228,408
Total noncurrent liabilities	<u>249,720</u>	<u>241,344</u>
Total liabilities	<u>300,853</u>	<u>280,493</u>
 DEFERRED INFLOWS OF RESOURCES		
Deferred inflows -pension	31,628	45,929
License fees	398,670	152,779
Total deferred inflows of resources	<u>430,298</u>	<u>198,708</u>
 NET POSITION		
Invested in capital assets	-	-
Unrestricted	229,760	182,357
Total net position	<u>\$ 229,760</u>	<u>\$182,357</u>

See notes to financial statements

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
STATEMENT OF REVENUES, EXPENSES AND CHANGES IN NET POSITION
For the years ended June 30, 2021 and 2020

	<u>2021</u>	<u>2020</u>
Operating revenues:		
Licensing fees	\$ 278,859	\$ 278,795
Other fees	54,880	70,711
Fines and other income	30,300	14,611
Total revenues	<u>364,039</u>	<u>364,117</u>
Operating expense:		
Salaries and benefits	144,483	144,429
Pension expense	21,390	20,164
Rent	15,098	14,670
General & Administrative	60,084	50,401
Professional	72,498	62,171
Travel	37	7,723
Board expense	3,166	3,631
Total operating expenses	<u>316,756</u>	<u>303,189</u>
Increase in operating net position	47,283	60,928
Increase in non-operating income - net investment income	120	283
Increase in net position	47,403	61,211
Net position at beginning of year, July 1	182,357	121,146
Net position at end of year, June 30	<u>\$ 229,760</u>	<u>\$182,357</u>

See notes to financial statement

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
STATEMENT OF CASH FLOWS
For the years ended June 30, 2021 and 2020

	<u>2021</u>	<u>2020</u>
CASH FLOWS FROM OPERATING ACTIVITIES:		
Receipts from licensees	\$ 599,054	\$ 138,275
Payments to vendors	(131,491)	(149,567)
Payments to employees	(120,048)	(121,338)
Payroll taxes & benefits paid	(45,235)	(43,255)
Total cash provided (used) from operating activities	<u>302,280</u>	<u>(175,885)</u>
CASH FLOWS FROM INVESTING ACTIVITIES:		
Interest income	<u>120</u>	<u>283</u>
Total cash provided from investing activities	<u>120</u>	<u>283</u>
Net increase (decrease) in cash	302,400	(175,602)
Beginning cash at June 30	<u>547,313</u>	<u>722,915</u>
Cash and Cash Equivalents at year's end, June 30	<u>849,713</u>	<u>547,313</u>

RECONCILIATION OF OPERATING INCOME TO NET CASH:

Adjustments to reconcile operating income to net cash provided by operating activities:

Operating net income	47,283	60,928
Decrease in net accounts receivables	3,425	2,875
(Increase) decrease in prepaid expense	(339)	972
(Increase) decrease in deferred outflows	(39)	2,911
(Decrease) increase in accounts payable	(1,095)	4,632
Increase in payable due to state treasurer	11,950	500
Increase in payroll liabilities	1,129	236
(Decrease) increase in compensated absences	(718)	3,407
(Decrease) in funds held for refund	-	(19,458)
Increase (decrease) net pension liability	9,094	(4,141)
Increase (decrease) in deferred inflows	231,590	(228,717)
Net cash provided (used) by operating activities	<u>\$ 302,280</u>	<u>\$ (175,855)</u>

See notes to financial statement

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

Background and Reporting Entity

The Chiropractic Physicians' Board of Nevada (Board) is comprised of seven members appointed by the Governor as follows:

- 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.
- Four members who are:
 - Graduates of chiropractic schools or colleges.
 - Licensed by the Board; and
 - Actually engaged in the practice of chiropractic in the State and have been for at least three years prior to appointment.
- Two members who are representatives of the general public.

The accompanying financial statements of the Board have been prepared in conformity with accounting principles generally accepted in the United States of America (GAAP) as prescribed by the Governmental Accounting Standards Board (GASB). The Board has adopted Governmental Accounting Standards Board (GASB) Statement No. 62, *Codification of Accounting and Financial Reporting Guidance Contained in Pre-November 30, 1989 FASB and AICPA Pronouncements* as of January 1, 2012. Adoption of this standard had no impact on the Board's financial statements. The Board is not considered to be financially accountable for any other governmental entity since no other entities are considered to be controlled by or dependent on the Board. Control or dependence is determined on the basis of budget adoption, funding and appointment of the respective governing board.

Financial Statement Presentation

The Statements of Net Position; Revenues, Expenses and Changes in Net Position; and Cash Flows report information on all activities of the Board. The Board is reported as a single enterprise fund.

The Statement of Net Position presents the reporting entity's assets and liabilities, with differences reported as net assets. Net assets are reported in two categories:

Invested in capital assets consists of capital assets, net of accumulated depreciation. Capital assets of the Board have no related debt.

Unrestricted net position consists of net assets that do not meet the definition of the preceding category. Unrestricted net assets often have constraints on resources that are imposed by management but can be removed or modified.

The Statement of Revenues, Expenses and Changes in Net Position distinguishes operating revenues and expenses from non-operating items. Operating revenues and expenses generally result from providing services and producing and delivering goods in connection with the Board's principal ongoing operations. All revenues and expenses not meeting this definition are reported as non-operating revenues and expenses.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Measurement Focus, Basis of Accounting

The financial statements are reported using the economic resources management focus and the accrual basis of accounting. Revenues are recorded when earned, and expenses are recorded when a liability is incurred, regardless of the timing of cash flows.

Cash and Equivalents

Cash balances are invested as permitted by law and insured by the Federal Deposit Insurance Corporation (FDIC) up to \$250,000. The Board considers all cash on hand as cash or cash equivalents.

Accounts Receivable

Accounts receivable reflect license fees, cost, reimbursements, and fines as a result of disciplinary actions. An allowance for doubtful accounts has been established which at year's end June 30, 2021 and 2020 were \$161,974 and \$161,974.

Accounts receivable are presented net of allowances for doubtful accounts. Management believes that accounts receivable that are over 90 days old net of allowances are collectible.

Capital Assets and Depreciation

All capital assets are recorded in the Statement of Net Position at historical cost. Fixed assets are fully depreciated as of yearend.

Donated capital assets are valued at their estimated fair value on the date of donation. The Board defines capital assets as assets with a unit cost of \$2,000 or more and an estimated useful life in excess of one year. Depreciation is accumulated on a straight-line basis over the estimated useful life of the asset, with one-half a year's depreciation taken in the year of acquisition and one-half in the final year. Useful life is estimated by management on the basis of their experience with similar assets.

Deferred Inflows of Resources - Revenues

Various licenses are billed for a two-year period resulting in unearned revenues at the end of the fiscal year. Deferred revenues represent amounts received but not earned as of year-end.

Use of Estimates

The Board uses estimates and assumptions in preparing the financial statements in conformity with accounting principles generally accepted in the United States of America. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Actual results could differ from those estimates.

Budgets and Budgetary Accounting

NRS 353.005 specifically exempts the Board from the requirements set forth in the State Budget Act. However, the Board prepares an annual budget for each fiscal year that is approved by a majority vote of the Board prior to the start of each fiscal year. The budget is used internally by the Board and staff and is prepared on the same basis as the financial statements.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 1 - SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (continued)

Federal Income Taxes:

The Board is considered an exempt governmental agency in accordance with Internal Revenue Service Code Section 115. Therefore, income is excludable from gross income for federal income tax purposes.

Compensated Absences

Compensated absences are accounted for in accordance with GASB Statement No. 16, Accounting for Compensated Absences, which requires that a liability for compensated absences relating to services already tendered, and that are not contingent on a specified event, will be accounted for in the period when those services are rendered or those events take place. The Board's policy provides for payment of accrued vacation time upon termination of employment if employed for six months or more, and a maximum payment of \$8,000 for sick leave upon termination of employment if employed ten years or more.

Prior Year Reclassifications

Prior year's financial statements have been reclassified where applicable to conform to the current year's presentation.

NOTE 2 – CASH & INVESTMENTS

On June 30, 2021 and 2020, cash and cash equivalents totaled \$849,713 and \$547,313 for deposits in a commercial bank. All funds are on deposit with a single financial institution and are carried at cost. The bank balances on June 30, 2021 and 2020 totaled \$861,946 and \$544,311. Bank balances are insured up to \$250,000 by the Federal Deposit Insurance Corporation and amounts in excess of the FDIC limit are collateralized by the bank.

NOTE 3 – RISK MANAGEMENT

The Board is exposed to various risks of loss related to tort, theft of, damage to, and destruction of assets; errors and omissions; and natural disasters, as are all entities. The Board is covered by commercial insurance purchased from independent third parties. There have been no claims from these risks during the years ended June 30, 2021 and 2020. Settled claims from these risks in the past have been minimal.

NOTE 4 – CAPITAL ASSETS

Depreciation is taken on the financial statements over the estimated useful lives of the assets using the straight-line method. It is believed by management that the useful lives of furniture and equipment range from five to ten years with no salvage value. When assets are disposed of the cost and related accumulated depreciation are removed from the general ledger and any resulting gain or loss is recognized in operations. There was no depreciation expense recorded for years ending June 30, 2021 and 2020.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 4 – CAPITAL ASSETS (continued)

Changes in capital assets and depreciation are shown in the table below:

	June 30, 2020	Additions	Dispositions	June 30, 2021
Furniture and equipment	\$ 16,501	\$ -	\$ -	\$ 16,501
Accumulated depreciation	\$ (16,501)	\$ -	\$ -	(16,501)
Net equipment	\$ -	\$ -	\$ -	\$ -

	June 30, 2019	Additions	Dispositions	June 30, 2020
Furniture and equipment	\$ 16,501	\$ -	\$ -	\$ 16,501
Accumulated depreciation	\$ (16,501)	\$ -	\$ -	(16,501)
Net equipment	\$ -	\$ -	\$ -	\$ -

NOTE 5 – POST RETIREMENT BENEFITS

Some employees of the Board are entitled to post-retirement health care benefits from the State of Nevada. The Board pays an assessment to fund these future benefits at a rate determined by the State Department of Administration. The rate of assessment was 2.36% and \$783 per employee per month in 2021 and 2.34% and \$761 per employee in 2020. The total amounts paid for years ended 2021 and 2020 were \$21,601 and \$19,366.

The Government Accounting Standards Board issued Statement 75 which provides guidance on how other post-retirement benefits are to be reported along with footnoted disclosures. Management has not implemented this new statement.

NOTE 6 – OPERATING LEASES

The Board is obligated under operating leases for office space and a postage meter, expiring on various dates through 2026. The postage meter, at the end of the lease term, is renewable at its fair rental values. The office lease was renewed for a five-year term beginning November 1, 2021.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 6 – OPERATING LEASES (continued)

The minimum rental commitments under the operating leases are as follows:

For years ended June 30,

2022	\$	15,266
2023		15,159
2024		14,952
2025		15,060
2026		5,020
	\$	<u>65,457</u>

The expense for all operating leases for years ended June 30, 2021 and 2020 was \$15,732 and \$12,734 respectively.

NOTE 7 – DEFINED BENEFIT PENSION COST-SHARING EMPLOYER PLAN

Defined Benefit Plan Description

PERS administers a cost-sharing, multiple-employer, defined benefit pension plan, which includes both Regular and Police/Fire members. The System was established by the Nevada Legislature in 1947, effective July 1, 1948. The System is administered to provide a reasonable base income to qualified employees who have been employed by a public employer and whose earning capacities have been removed or substantially impaired by age or disability

Benefits Provided

Benefits, as required by the Nevada Revised Statutes (NRS or statute), are determined by the number of years of accredited service at time of retirement and the member's highest average compensation in any 36 consecutive months with special provisions for members entering the System on or after January 1, 2010, and July 1, 2015. Benefit payments to which participants or their beneficiaries may be entitled under the plan include pension benefits, disability benefits, and survivor benefits.

Monthly benefit allowances for members are computed as 2.50% of average compensation for each accredited year of service prior to July 1, 2001. For service earned on and after July 1, 2001, this factor is 2.67% of average compensation. For members entering the System on or after January 1, 2010, there is a 2.50% service time factor and for regular members entering the System on or after July 1, 2015, there is a 2.25% factor.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 7 – DEFINED BENEFIT PENSION COST-SHARING EMPLOYER PLAN (continued)

The System offers several alternatives to the unmodified service retirement allowance which, in general, allow the retired employee to accept a reduced service retirement allowance payable monthly during his or her lifetime and various optional monthly payments to a named beneficiary after his or her death. Post-retirement increases are provided by authority of NRS 286.575 -579.

Vesting

Regular members entering the System prior to January 1, 2010, are eligible for retirement at age 65 with 5 years of service, at age 60 with 10 years of service, or at any age with 30 years of service. Regular members entering the System on or after January 1, 2010, are eligible for retirement at age 65 with 5 years of service, or age 62 with 10 years of service, or any age with 30 years of service. Regular members who entered the System on or after July 1, 2015, are eligible for retirement at age 65 with 5 years of service, or at age 62 with 10 years of service, or at age 55 with 30 years of service, or any age with 33 1/3 years of service.

The normal ceiling limitation on monthly benefit allowances is 75% of average compensation. However, a member who has an effective date of membership before July 1, 1985 is entitled to a benefit of up to 90% of average compensation. Members become fully vested as to benefits upon completion of five years of service.

Contributions

The authority for establishing and amending the obligation to make contributions and member contribution rates is set by statute. New hires, in agencies which did not elect the Employer-Pay Contribution (EPC) plan prior to July 1, 1983, have the option of selecting one of two contribution plans. In one plan, contributions are shared equally by employer and employee. In the other plan, employees can take a reduced salary and have contributions made by the employer (EPC).

The System's basic funding policy provides for periodic contributions at a level pattern of cost as a percentage of salary throughout an employee's working lifetime in order to accumulate sufficient assets to pay benefits when due.

The System receives an actuarial valuation on an annual basis indicating the contribution rates required to fund the System on an actuarial reserve basis. Contributions made are in accordance with the required rates established by the Nevada Legislature. These statutory rates are increased/decreased pursuant to NRS 286.421 and 286.450. The contribution rate for the Board was 15.25% for the executive director and 29.25% for staff for the year ended June 30, 2021 and 15.25% and 29.25% for June 30, 2020 respectively.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 7 – DEFINED BENEFIT PENSION COST-SHARING EMPLOYER PLAN (continued)

The actuarial funding method used is the Entry Age Normal Cost Method. It is intended to meet the funding objective and results in a relatively level long-term contribution requirement as a percentage of salary.

For the year ended June 30, 2021, the contributions recognized as part of pension expense for the Plan were as follows:

Contributions - employer	\$26,636
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B. Pension Liabilities, Pension Expenses and Deferred outflows/Inflows of Resources Related to Pensions

As of June 30, 2021, the Board reported net pension liabilities for its proportionate shares of the net pension liability of the Plan as follows:

	Proportionate share of net pension liability
Miscellaneous plan	\$237,502

The Board's net pension liability for the Plan is measured as the proportionate share of the net pension liability. The net pension liability of the Plan is measured as of June 30, 2020, and the total pension liability for the Plan used to calculate the net pension liability was determined by an actuarial valuation as of June 30, 2020.

The Board's proportion of the net pension liability was based on a projection of the Board's long-term share of contributions to the pension plan relative to the projected contributions of all participating employers, actuarially determined.

The Board's proportionate share of the net pension liability as of June 30, 2019 and 2020 was as follows:

Proportion - June 30, 2019	0.00168%
Proportion - June 30, 2020	0.00171%
Change: Increase -Decrease	0.00003%

For the year ended June 30, 2021, the Board recognized a pension expense of \$21,390.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 7 – DEFINED BENEFIT PENSION COST-SHARING EMPLOYER PLAN (continued)

On June 30, 2021, the Board reported deferred outflows of resources and deferred inflows of resources related to pensions from the following sources:

	Deferred Outflows of Resources	Deferred Inflows of Resources
Differences between expected and actual experience	\$ (1,186)	\$ 3,521
Changes in assumptions	(2,624)	-
Net difference between projected and actual earnings on pension plan investments	-	2,392
Changes in proportion and differences between Board contributions and proportionate share of contributions	23,194	25,715
Board contributions subsequent to the measurement date	26,636	-
Total	<u>\$ 46,020</u>	<u>\$ 31,628</u>

\$26,636 was reported as deferred outflows of resources related to contributions to NVPERS subsequent to the measurement date will be recognized as a reduction of the net pension liability in the year ended June 30, 2021. Other amounts reported as deferred outflows of resources and deferred inflows of resources related to pensions will be recognized as pension expense as follows:

Measurement Period Ended June 30:	
2022	\$ (3,700)
2023	1,841
2024	2,126
2025	1,487
2026	212
2027	10,278
Thereafter	-
Total	<u>\$ 12,244</u>

Actuarial Assumptions – The total pension liabilities in the June 30, 2020 actuarial valuations were determined using the following actuarial assumptions:

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 7 – DEFINED BENEFIT PENSION COST-SHARING EMPLOYER PLAN (continued)

Valuation date	June 30, 2020
Measurement date	June 30, 2020
Actuarial Cost Method	Entry -Age Normal Cost
Actuarial Assumptions:	
Productivity pay increases	0.50%
Inflation	2.75%
Payroll growth	5.00%
Projected salary increase	4.25% - 9.15%
Investment rate of return	7.50%

The underlying mortality assumptions and all other actuarial assumptions used in the June 30, 2020 valuation were based on the results of the experience review completed in 2020. Further details of the Experience Study can be found on the PERS website.

Discount Rate – The discount rate used to measure the total pension liability was 7.50% as of June 30, 2020. The projection of cash flows used to determine the discount rate assumed that employee and employer contributions will be made at the rate specified in statute. Based on that assumption, the pension plan's fiduciary net position on June 30, 2020, was projected to be available to make all projected future benefit payments of current active and inactive employees. Therefore, the long-term expected rate of return on pension plan investments was applied to all periods of projected benefit payments to determine the total pension liability as of June 30, 2020.

The System's Investment Objectives and Policies detail the fund's long-term investment goals, management responsibilities, return/risk expectations, and monitoring requirements. These policies are subject to change at any time by the Board and are reviewed thoroughly at least annually to ensure that they continue to reflect the System's expectations.

To establish an appropriate long-term asset allocation strategy, the Board evaluates expected return and risk for each of the major asset types (stocks, bonds, private markets). These asset classes are then combined in the most efficient manner possible to construct a portfolio that matches the risk and return needs of the fund. By diversifying the System's investments in multiple asset classes, the Board is able to reduce the volatility of annual investment earnings. The Board reviews capital market expectations and asset allocation annually. In addition, the Board employs a disciplined rebalancing policy to manage market volatility and to ensure the portfolio's exposures are consistent with the System's long-term asset targets.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 7 – DEFINED BENEFIT PENSION COST-SHARING EMPLOYER PLAN (continued)

Additional information on the discount rate, investment strategy and diversification is available in the PERS CAFR which can be found at www.nvpers.org.

The System's policies which determine the investment portfolio target asset allocation is established by the Board. The asset allocation is reviewed annually and is designed to meet the future risk and return needs of the System.

The following was the Board adopted policy target asset allocation as of June 30, 2020:

Asset Class	Target Allocation	Long-Term Geometric Expected Real Rate of Return*
Domestic Equity	42%	5.50%
International Equity	18%	5.50%
Domestic Fixed Income	28%	0.75%
Private Markets	12%	6.65%

*As of June 30, 2020, PERS' long-term inflation assumption was 2.75%

Sensitivity of the Proportionate Share of the Net Pension Liability to Changes in the Discount Rate –

The following presents the net pension liability of the PERS as of June 30, 2021, calculated using the discount rate of 7.50%, as well as what the PERS net pension liability would be if it were calculated using a discount rate that is 1-percentage-point lower (6.5%) or 1-percentage-point higher (8.5%) than the current discount rate:

	Discount rate -1% (6.5%)	Current Discount Rate (7.5%)	Discount Rate +1% (8.5%)
Misc. Tier1	\$371,460	\$237,502	\$127,357

NOTE 8 – LICENSE RENEWALS

Revenues and deferred inflows for licenses issued were reported for the years ended June 30, 2021 and 2020. Doctor of Chiropractic licenses were granted for a 2-year period and licenses were renewed for the periods beginning January 1, 2020.

Chiropractor's Assistant certificates were issued for a 2-year period starting January 1, 2021.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
NOTES TO FINANCIAL STATEMENTS
June 30, 2021 and 2020

NOTE 9 –SUBSEQUENT EVENTS

Management has evaluated the activities and transactions subsequent to June 30, 2021 to determine the need for any adjustments to, and disclosure within the financial statements for the year ended June 30, 2021. Management has evaluated subsequent events through October 26, 2021, which is the date the financial statements were available for issue.

**CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
 REQUIRED SUPPLEMENTARY INFORMATION
 SCHEDULE OF THE BOARD'S PROPORTIONATE SHARE OF THE NET PENSION LIABILITY
 LAST TEN YEARS**

<u>Actuarial Valuation Date</u>	<u>Board's proportion of the net pension liability (asset)</u>	<u>Board's proportionate share of the net pension liability (asset)</u>	<u>Board's covered - employee payroll</u>	<u>Board's proportionate share of the net pension liability (asset) as a percentage of its covered-employee payroll</u>	<u>Plan fiduciary net position as a percentage of the total pension liability</u>
6/30/2020	0.00171%	\$237,502	\$121,338	195.74%	77.0%
6/30/2019	0.00168%	\$228,408	\$141,855	161.02%	76.5%
6/30/2018	0.00171%	\$232,549	\$138,800	167.54%	75.1%
6/30/2017	0.00176%	\$234,557	\$139,214	168.49%	74.5%
6/30/2016	0.00194%	\$260,992	\$137,562	189.73%	74.1%
6/30/2015	0.00208%	\$238,870	\$121,411	196.74%	73.2%
6/30/2014	0.00191%	\$199,307	\$109,306	182.34%	76.3%

This information is required by the Governmental Accounting Standards Board

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
REQUIRED SUPPLEMENTARY INFORMATION
SCHEDULE OF THE BOARD'S CONTRIBUTIONS - LAST TEN YEARS

Year end	Contractually required contribution	Contribution in relation to the contractually required contribution	Contribution deficiency (excess)	Board's covered employee payroll	Contributions as a percentage of covered employee payroll
6/30/2021	\$36,370	(\$36,370)	\$0	\$120,767	30.12%
6/30/2020	\$35,744	(\$35,744)	\$0	\$121,338	29.46%
6/30/2019	\$41,138	(\$41,138)	\$0	\$141,855	29.00%
6/30/2018	\$40,252	(\$40,252)	\$0	\$138,800	29.00%
6/30/2017	\$40,372	(\$40,372)	\$0	\$139,214	29.00%
6/30/2016	\$36,454	(\$36,454)	\$0	\$137,562	26.50%
6/30/2015	\$32,174	(\$32,174)	\$0	\$121,411	26.50%

This information is required by the Governmental Accounting Standards Board

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA
BUDGETARY COMPARISON SCHEDULE
For the Year Ended June 30, 2021

	Original Budget	Final Budget	Actual	Variance
Revenues				
Licensing fees	\$ 256,850	\$ 256,850	\$ 278,859	\$ 22,009
Other fees	58,060	58,060	54,880	(3,180)
Fines and other income	12,674	12,674	30,300	17,626
Total revenues	327,584	327,584	364,039	36,455
Expenses				
Salaries & benefits	147,004	147,004	144,483	2,521
Pension expense	29,208	29,208	21,390	7,818
Rent	16,631	16,631	15,098	1,533
General & administrative	54,721	54,721	60,084	(5,363)
Professional	82,075	82,075	72,498	9,577
Travel	14,000	14,000	37	13,963
Board expense	6,300	6,300	3,166	3,134
Total expenditures	349,939	349,939	316,756	33,183
Excess of revenues over (under) expenditures	(22,355)	(22,355)	47,283	69,638
Unrestricted net position, July 1,	182,357	182,357	182,357	-
Increase in non-operating income	-	-	120	120
Unrestricted net position, June 30	\$ 160,002	\$ 160,002	\$ 229,760	\$ 69,758

See notes to financial statements

COMPLIANCE

**AUDITOR'S REPORT ON COMPLIANCE WITH NEVADA REVISED STATUTES AND
CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA**

To the Members
Chiropractic Physicians' Board of Nevada

I have audited the entity wide financial statements of the Chiropractic Physicians' Board of Nevada (Board), as of and for the year ended June 30, 2021, and have issued my report thereon dated October 26, 2021. I conducted my audit in accordance with United States generally accepted auditing standards.

Compliance

As part of obtaining reasonable assurance about whether the Chiropractic Physicians' Board of Nevada financial statements are free of material misstatement, I performed tests of its compliance with certain provisions of laws, regulations, contracts, and grants, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. Compliance with Nevada Revised Statutes (NRS) and regulations (Nevada Administrative Code) applicable to the Chiropractic Physicians' Board of Nevada is the responsibility of the Board's management. Providing an opinion on compliance with those provisions was not an objective of my audit, and accordingly, I do not express such an opinion. In connection with my audit, nothing came to my attention that caused me to believe the Board had not complied with NRS 634 and other Nevada Revised Statutes and regulations, insofar as they relate to accounting matters.

This report is intended solely for the information and use of the Board of Directors, management and others within the organization and the Nevada Legislative Counsel Bureau. This restriction is not intended to limit distribution of this report, which is a matter of public record.

Bertrand & Associates, LLC

Carson City, Nevada
October 26, 2021

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: Agenda Item 20 Discussion and possible action regarding Accountant/Bookkeeping proposals – 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 the applicants.)

RECOMMENDED MOTION: Approve Casey Neilon or Numbers, Inc. for the Board Accounting/Bookkeeping service.

PREPARED BY: Margaret Colucci, DC

MEETING DATE: February 3, 2022

TIME REQUIRED: 5 minutes

BACKGROUND INFORMATION: The Board requested bids from five Accounting/Bookkeeping services and received two responses, which are attached and listed below. Please note, the Boards current accountant has decided to reduce her client base.

- 1. Casey Neilon**
- 2. Numbers, Inc.**

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued



CASEY NEILON

Tax Services, Captive Insurance,
Business Services, Trusts & Estates
Audit & Assurance

PROPOSAL TO PROVIDE PROFESSIONAL ACCOUNTING SERVICES

Chiropractic Physician's Board of Nevada

December 10, 2021

503 N. Division St. • Carson City, NV • 89703
6770 S. McCarran Blvd, Ste. 200 • Reno, NV • 89509
775.283.5555



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December 10, 2021

State of Nevada
Chiropractic Physician's Board of Nevada
Julie Strandberg
Executive Director
4600 Kietzke Lane, M-245
Reno, NV 89502

Dear Ms. Strandberg:

We appreciate the opportunity to provide a proposal for accounting services for the Chiropractic Physician's Board of Nevada. The following brief summary offers key information needed to evaluate our firm against other firms that respond to your proposal. We believe that we are a good choice to provide accounting services for the following reasons:

Experience - our team has been providing services to local governments, special districts, boards and commissions since 1997. We take the time to get to know your organization, from internal controls, to operations and reporting systems; this in-depth knowledge allows us to work with you efficiently and effectively, and to provide a high-quality product with on time delivery.

Value - our experience, combined with the extensive use of technology allows us to provide high quality services at a reasonable cost.

Continuity of staffing - we recognize that learning about your organization takes time, and that continual changes in engagement team members can be frustrating and inefficient. Our commitment to you is that we will keep our key engagement team members working on your accounting for the length of the contract.

Education - we commit to the education of our staff, and all staff working on your engagement will have extensive accounting, auditing and governmental continuing education.

Quality - we commit to high standards of quality. This is demonstrated by our commitment to an internal quality control, and by our participation in the AICPA's peer review program.

We look forward to the opportunity to work with you.

Sincerely,



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About Us

Casey Neilon, Inc. is a Nevada public accounting firm, with offices located in Reno and Carson City. The staff in each office work cooperatively, and the engagement would be staffed from the Reno office. The Company was formed in 2006 as the result of a demerger from a large regional accounting firm. From our inception, the Company has grown in size and experience and we currently have 22 staff members.

Women and minority owned – We are committed to a diverse workplace that values all employees. We actively seek to recruit, employee and promote top talent.

Education - The Company is committed to the education and technical growth of our staff, and all staff that would be assigned to your engagement have had significant accounting and auditing education in the form of in-house seminars, self-study, and attendance at local and national conferences. This dedication to continuing education is a focal point of our firm. All members of our professional staff (including non licensed staff) receive in excess of 40 hours per year in total continuing education, which exceeds our requirements under state law and professional standards. We encourage our staff to obtain continuing professional education in fields appropriate to the type of accounting work that they are providing; therefore our senior staff have governmental and non profit specific education.

National resources - We provide national firm resources and capabilities through our affiliation with Allriott Group North America, an association of over 100 public accounting and legal firms worldwide. The Allriott Group is an exclusive worldwide association of independent accounting, legal and consulting firms founded to pursue excellence and quality in accounting and business consulting services. Management and staff from these firms work with us to provide the requisite industry and service expertise when required. These resources differentiate us from other proposers as we can provide the staffing and price of a local firm, but also have the resources of a national organization to assist with technical issues.

Independence - We are independent of the Chiropractic Physician's Board of Nevada, and have no professional relationships that would constitute a conflict of interest. Additionally, we have no client relationships that may have a financial interest in the outcome of the audit, and we commit to provide you with written notice of any professional relationships entered into during the period of this engagement that may cause a conflict of interest.

Licensing - The firm and all key professional staff are properly licensed to provide accounting and auditing services in the State of Nevada.

Insurance - we carry the following coverage:

Commercial general liability \$2,000,000 each occurrence, \$4,000,000 aggregate

Workers' compensation statutory

Professional liability \$2,000,000 per claim, \$4,000,000 policy aggregate

Record retention - All records related to the engagement will be maintained in accordance with the Company's record retention policy of seven years and will be available to you or your designees for examination upon request.



Key performance parameters - We focus on the following key performance parameters:

- *Provide the most beneficial management comments possible* – The training provided to our upper level staff in management advisory skills is unique and valuable.
- *Provide excellent client service* – We are dedicated to the ongoing needs of our clients. We go to great lengths to customize our services to fit our client's specific needs.
- *Develop strong client relationships* – We have an excellent client retention record and our reputation in the State of Nevada is excellent.
- *Maintain efficiency* – We continue to strive to train our staff on efficiency principles.

Firm Principals

Darsi Casey, CPA, MST

Nicola Neilon, CPA, GGMA

Suzanne Olsen, CPA

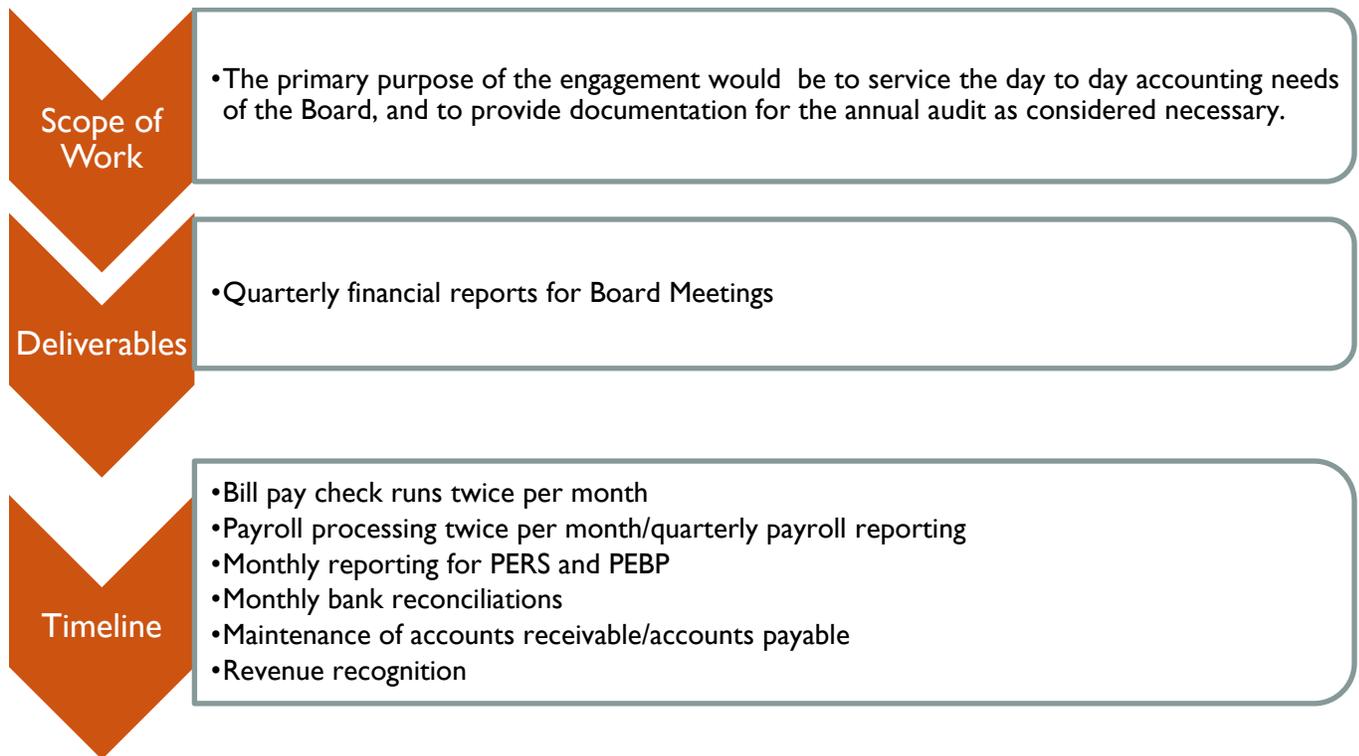
Lucas Gonzalez, CPA

Leslie Kidd, CPA

Debra Vaughan, COO



Scope of Services



Recommendations

- I. Based on discussions with the Executive Director and the current bookkeeper, we are recommending that the Board transition to a more robust bill payment system rather than continuing to utilize bill payments from the bank account. There are multiple reasons for this recommendation as follows:
 - Enhanced internal control and oversight – all invoices would be saved in a web based system and matched to the payments, reducing the need to maintain paper files. Invoices would be processed by Casey Neilon accounting staff, but all payments would be authorized by Board staff that have signature authority over the bank account, thus reducing the risk of unauthorized payments. Access could be provided to the auditor for document review and to specific Board members if necessary to meet the oversight requirements of NRS 622.234.
 - Vendors would have the ability to receive electronic payments for invoices.
 - Integration with Quickbooks reducing the need for duplicate data entry.
 - Reduced time spent locating signers, delivering checks etc as all processes are performed electronically.



The system that we are recommending is Bill.com. This system has strong anti-fraud protection built in as well as 2 factor authentication to avoid unauthorized use.

As the Board would be a client under our accounting firm dashboard, the Board would see enhanced technology, security and internal controls at a discounted price. The cost for these services would be outside of our contract and paid directly by the Board and would be at cost with no mark-up. Our preliminary estimate would be \$40 - \$50 per month for these services.

2. We are recommending that the Board utilize a payroll company for processing bi-weekly payroll and quarterly reporting. There are multiple reasons for this recommendation as follows:
 - Accessibility – as payroll is their business, they have staff available to process payroll each pay period, additionally they are knowledgeable about all the legal requirements and timeframes.
 - All payroll taxes would be automatically withheld each pay period and remitted to the various government agencies on your behalf.
 - All quarterly reporting would be prepared for you automatically, and no additional steps would be required for complete and timely reporting.
 - All year end reporting including W2s would be prepared for you automatically, and no additional steps would be required for complete and timely reporting.

The company we are recommending is Nevada Payroll Services. They are a well respected, local company that provides complete and timely services. The Nevada State Board of Accountancy currently uses their services. Our preliminary estimate would be \$40.50 per payroll for these services. Additionally, the Board would no longer need to maintain a Quickbooks payroll subscription, which would offset the cost of adding the professional service.

Accounting Services

Our proposal encompasses the following services:

- Bi-monthly accounts payable processing
- Recording of cash receipts
- Maintenance of accounts receivable
- Monthly bank reconciliations
- Monthly preparation of PEBP and PERS reports
- Recording of payroll transactions
- Preparation of quarterly financial reports for Board meetings
- Quarterly amortization of licensing fees for revenue recognition purposes
- Documentation requests for the annual audit pursuant to NRS 218G.400

We would maintain the Quickbooks file on our server and under our subscription so that there would be no additional cost to the Board; however, the data would remain the property of the Board and would be available for review or transfer at any time.



Cost Proposal

One Time Fee

We are proposing a one time fee of \$750 to facilitate setting up accounts with Bill.com and Nevada Payroll Services, transitioning the accounting records from your current bookkeeper and developing the internal control systems.

Monthly Fees

We are proposing a monthly fee of \$750 to include all items listed under accounting services. This fee does not include specific requests from the auditor for documentation that is not readily apparent or that has to be created specifically for the audit; additionally software costs would be paid directly to the vendor.

If the need arises for additional projects outside of the scope proposed, the following hourly rates would apply:

Shareholder	\$240 - \$375
Manager	\$160 - \$175
Senior	\$150 - \$155
Staff	\$ 80 - \$130

We understand that many clients need assistance throughout the year, and we encourage our clients to meet with us during the year to identify if there are new topics, issues or standards that need to be implemented. This meeting is considered part of the fee and is not separately billed. In addition, all phone calls during the year are included in our fixed price unless there is additional research or reporting required. Should the need for additional services be identified a cost proposal would be presented and approved before any additional costs are incurred.



CASEY NEILON

Engagement Shareholder



NICOLA (NIKI) NEILON, CPA, CGMA

Engagement Shareholder

nneilon@caseyneilon.com

Niki is a founding shareholder and audit principal for Casey Neilon, she has over 24 years of experience in public accounting, and her areas of specialty include captive insurance companies and insurance funds, not for profits and local governments.

Licensure: NV CPA License 3279 6/30/1999

Niki is a graduate of the University of Nevada, Reno and has a graduate certificate in taxation from Golden Gate University.

Niki serves on the Board of Directors of the National Association of State Boards of Accountancy, and the Board of Examiners of the American Institute of Certified Public Accountants, and was the prior President for the Nevada State Board of Accountancy.



References

Nevada State Board of Podiatry	
Address	1325 Airmotive Way, Ste. 175-I Reno, NV 89502
Contact	Carolyn J. Cramer, Esq. Executive Director
Phone	(775) 789-2605
Email	nvpodiatry@bop.nv.gov
Nevada State Board of Accountancy	
Address	1325 Airmotive Way, Ste. 220 Reno, NV 89502
Contact	Viki A. Windfeldt Executive Director
Phone	(775) 786-0231
Email	viki@nvaccountancy.com
Nevada State Board of Medical Examiners	
Address	9600 Gateway Drive Reno, NV 89521
Contact	Donya Jenkins Finance Manager
Phone	(775) 324-9354
Email	djnsbme@medboard.nv.gov
Nevada State Board of Professional Engineers and Land Surveyors	
Address	1755 E Plumb Lane, Suite 258 Reno, NV 89502
Contact	Patty Mamola, PE Executive Director
Phone	(775) 688-1231
Email	pmamola@boe.state.nv.us
Nevada State Board of Optometry	
Address	P.O. Box 1824 Carson City NV 89702
Contact	Caren C. Jenkins, Esq. Executive Director
Phone	(775) 883-8367
Email	cjenkins@nvoptometry.org



Peer Review Report

Grant Bennett Associates

A PROFESSIONAL CORPORATION

Report on the Firm's System of Quality Control

September 26, 2017

To the Members of Casey Neilon, Inc. (formerly known as Casey, Neilon & Associates LLC) and the Peer Review Committee of the Nevada Society of Certified Public Accountants

We have reviewed the system of quality control for the accounting and auditing practice of Casey Neilon, Inc. (formerly known as Casey, Neilon & Associates LLC) (the firm) in effect for the year ended March 31, 2017. Our peer review was conducted in accordance with the Standards for Performing and Reporting on Peer Reviews established by the Peer Review Board of the American Institute of Certified Public Accountants (Standards).

A summary of the nature, objectives, scope, limitations of, and the procedures performed in a System Review as described in the Standards may be found at www.aicpa.org/prsummary. The summary also includes an explanation of how engagements identified as not performed or reported in conformity with applicable professional standards, if any, are evaluated by a peer reviewer to determine a peer review rating.

Firm's Responsibility

The firm is responsible for designing a system of quality control and complying with it to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. The firm is also responsible for evaluating actions to promptly remediate engagements deemed as not performed or reported in conformity with professional standards, when appropriate, and for remediating weaknesses in its system of quality control, if any.

Peer Reviewer's Responsibility

Our responsibility is to express an opinion on the design of the system of quality control and the firm's compliance therewith based on our review.

Required Selections and Considerations

Engagements selected for review included engagements performed under *Government Auditing Standards*, and an audit of an employee benefit plan.

As a part of our peer review, we considered reviews by regulatory entities as communicated by the firm, if applicable, in determining the nature and extent of our procedures.

Opinion

In our opinion, the system of quality control for the accounting and auditing practice of Casey Neilon, Inc. (formerly known as Casey, Neilon & Associates LLC) in effect for the year ended March 31, 2017, has been suitably designed and complied with to provide the firm with reasonable assurance of performing and reporting in conformity with applicable professional standards in all material respects. Firms can receive a rating of *pass*, *pass with deficiency(ies)* or *fail*. Casey Neilon, Inc. (formerly known as Casey, Neilon & Associates LLC) has received a peer review rating of *pass*.

Grant Bennett Associates

GRANT BENNETT ASSOCIATES
A PROFESSIONAL CORPORATION
Certified Public Accountants



www.gbacpa.com

1375 Exposition Boulevard, Suite 230
Sacramento, CA 95815
916/922-5109 FAX 916/641-5200

P.O. Box 223096
Princeville, HI 96722
888/769-7323

CETS #:	
Solicitation #:	

**CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR
FOR LESS THAN \$50,000**

A Contract Between the State of Nevada
Acting by and Through its

Agency Name:	Chiropractic Physicians' Board of Nevada
Address:	4600 Kietzke Lane, Suite M245
City, State, Zip Code:	Reno, NV 89502
Contact:	Julie Strandberg
Phone:	775-688-1923
Fax:	775-688-1920
Email:	chirobd@chirobd.nv.gov

Contractor Name:	Casey Neilon
Address:	6770 S. McCarran Blvd., Suite 200
City, State, Zip Code:	Reno, NV 89509
Contact:	Nicola (Niki) Neilon, CPA, CGMA
Phone:	(775) 283-5555
Fax:	
Email:	nneilon@caseyneilon.com

WHEREAS, NRS 333.700 authorizes officers, departments, institutions, boards, commissions, and other agencies in the Executive Branch of the State Government which derive their support from public money in whole or in part to engage services of persons as independent contractors; and

WHEREAS, it is deemed that the service of Contractor is both necessary and in the best interests of the State of Nevada.

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

- CONTRACT TERM.** This Contract shall be effective as noted below, unless sooner terminated by either party as specified in *Section 7, Contract Termination*. Contracts requiring approval of the Nevada Board of Examiners or the Clerk of the Board are not effective until such approval has occurred, however, after such approval, the effective date will be the date noted below.

Effective from:	Upon Approval	To:	6/30//2024
-----------------	----------------------	-----	-------------------

- NOTICE.** All communications, including notices, required or permitted to be given under this Contract shall be in writing and directed to the parties at the addresses stated above. Notices may be given: (a) by delivery in person; (b) by a nationally recognized next day courier service, return receipt requested; or (c) by certified mail, return receipt requested. If specifically requested by the party to be notified, valid notice may be given by facsimile transmission or email to the address(es) such party has specified in writing.

CETS #:	
Solicitation #:	

3. **SCOPE OF WORK.** The Scope of Work is described below, which is incorporated herein by reference:

DESCRIPTION OF SCOPE OF WORK:
This is a new contract to provide bookkeeping and accounting services.

An Attachment must be limited to the Scope of Work to be performed by Contractor. Any provision, term or condition of an Attachment that contradicts the terms of this Contract, or that would change the obligations of the State under this Contract, shall be void and unenforceable.

4. **CONSIDERATION.** The parties agree that Contractor will provide the services specified in *Section 3, Scope of Work* at a cost as noted below:

\$750.00	per	Month
----------	-----	-------

Total Contract or installments payable at:	Monthly
--	---------

Total Contract Not to Exceed:	\$24,750.00
-------------------------------	-------------

The State does not agree to reimburse Contractor for expenses unless otherwise specified in the Scope of Work or incorporated Attachments (if any). Any intervening end to a biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the result of legislative appropriation may require.

5. **BILLING SUBMISSION: TIMELINESS.** The parties agree that timeliness of billing is of the essence to the Contract and recognize that the State is on a Fiscal Year. All billings for dates of service prior to July 1 must be submitted to the State no later than the first Friday in August of the same calendar year. A billing submitted after the first Friday in August, which forces the State to process the billing as a stale claim pursuant to NRS 353.097, will subject Contractor to an administrative fee not to exceed one hundred dollars (\$100.00). The parties hereby agree this is a reasonable estimate of the additional costs to the State of processing the billing as a stale claim and that this amount will be deducted from the stale claim payment due to Contractor.

6. **INSPECTION & AUDIT.** Contractor agrees to keep and maintain under generally accepted accounting principles (GAAP) and as required by State and federal law, complete and accurate records as are necessary to fully disclose to the State or United States Government, sufficient information to determine compliance with all State and federal regulations and statutes, and compliance with the terms of this contract, and agrees that such documents will be made available for inspection upon reasonable notice from authorized representatives of the State or Federal Government.

7. **CONTRACT TERMINATION.**

A. Termination Without Cause. Regardless of any terms to the contrary, this Contract may be terminated upon written notice by mutual consent of both parties. The State unilaterally may terminate this contract without cause by giving not less than thirty (30) days' notice in the manner specified in *Section 2, Notice*. If this Contract is unilaterally terminated by the State, Contractor shall use its best efforts to minimize cost to the State and Contractor will not be paid for any cost that Contractor could have avoided.

B. State Termination for Non-Appropriation. The continuation of this Contract beyond the current biennium is subject to and contingent upon sufficient funds being appropriated, budgeted, and otherwise made available by the State Legislature and/or federal sources. The State may terminate this Contract, and Contractor waives any and all claims(s) for damages, effective immediately upon receipt of written notice (or any date specified therein) if for any reason the Contracting Agency's funding from State and/or federal sources is not appropriated or is withdrawn, limited, or impaired.

C. Termination with Cause for Breach. A breach may be declared with or without termination. A notice of breach and termination shall specify the date of termination of the Contract, which shall not be sooner than the expiration of the

CETS #:	
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Time to Correct, if applicable, allowed under **Subsection 7D**. This Contract may be terminated by either party upon written notice of breach to the other party on the following grounds:

- 1) If Contractor fails to provide or satisfactorily perform any of the conditions, work, deliverables, goods, or services called for by this Contract within the time requirements specified in this Contract or within any granted extension of those time requirements; or
- 2) If any state, county, city, or federal license, authorization, waiver, permit, qualification or certification required by statute, ordinance, law, or regulation to be held by Contractor to provide the goods or services required by this Contract is for any reason denied, revoked, debarred, excluded, terminated, suspended, lapsed, or not renewed; or
- 3) If Contractor becomes insolvent, subject to receivership, or becomes voluntarily or involuntarily subject to the jurisdiction of the Bankruptcy Court; or
- 4) If the State materially breaches any material duty under this Contract and any such breach impairs Contractor's ability to perform; or
- 5) If it is found by the State that any quid pro quo or gratuities in the form of money, services, entertainment, gifts, or otherwise were offered or given by Contractor, or any agent or representative of Contractor, to any officer or employee of the State of Nevada with a view toward securing a contract or securing favorable treatment with respect to awarding, extending, amending, or making any determination with respect to the performing of such contract; or
- 6) If it is found by the State that Contractor has failed to disclose any material conflict of interest relative to the performance of this Contract.

D. Time to Correct. Unless the breach is not curable, or unless circumstances do not permit an opportunity to cure, termination upon declared breach may be exercised only after service of formal written notice as specified in **Section 2, Notice**, and the subsequent failure of the breaching party within fifteen (15) calendar days of receipt of that notice to provide evidence, satisfactory to the aggrieved party, showing that the declared breach has been corrected. Upon a notice of breach, the time to correct and the time for termination of the contract upon breach under **Subsection 7C**, above, shall run concurrently, unless the notice expressly states otherwise.

8. **REMEDIES**. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including, without limitation, actual damages, and to a prevailing party reasonable attorneys' fees and costs. For purposes of an award of attorneys' fees to either party, the parties stipulate and agree that a reasonable hourly rate of attorneys' fees shall be one hundred and fifty dollars (\$150.00) per hour. The State may set off consideration against any unpaid obligation of Contractor to any State agency in accordance with NRS 353C.190. In the event that Contractor voluntarily or involuntarily becomes subject to the jurisdiction of the Bankruptcy Court, the State may set off consideration against any unpaid obligation of Contractor to the State or its agencies, to the extent allowed by bankruptcy law, without regard to whether the procedures of NRS 353C.190 have been utilized.
9. **LIMITED LIABILITY**. The State will not waive and intends to assert available NRS Chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. Damages for any State breach shall never exceed the amount of funds appropriated for payment under this Contract, but not yet paid to Contractor, for the Fiscal Year budget in existence at the time of the breach. Contractor's tort liability shall not be limited.
10. **INDEMNIFICATION AND DEFENSE**. To the fullest extent permitted by law, Contractor shall indemnify, hold harmless and defend, not excluding the State's right to participate, the State from and against all liability, claims, actions, damages, losses, and expenses, including, without limitation, reasonable attorneys' fees and costs, arising out of any breach of the obligations of Contractor under this Contract, or any alleged negligent or willful acts or omissions of Contractor, its officers, employees and agents. Contractor's obligation to indemnify the State shall apply in all cases except for claims arising solely from the State's own negligence or willful misconduct. Contractor waives any rights of subrogation against the State. Contractor's duty to defend begins when the State requests defense of any claim arising from this Contract.

CETS #:	
Solicitation #:	

11. **REPRESENTATIONS REGARDING INDEPENDENT CONTRACTOR STATUS.** Contractor represents that it is an independent contractor, as defined in NRS 333.700(2) and 616A.255, warrants that it will perform all work under this contract as an independent contractor, and warrants that the State of Nevada will not incur any employment liability by reason of this Contract or the work to be performed under this Contract. To the extent the State incurs any employment liability for the work under this Contract; Contractor will reimburse the State for that liability.
12. **INSURANCE SCHEDULE.** Unless expressly waived in writing by the Contracting Agency, Contractor must procure, maintain and keep in force for the duration of the Contract insurance conforming to the minimum requirements specified below. Each insurance policy shall provide for a waiver of subrogation against the State of Nevada, its officers, employees and immune contractors as defined in NRS 41.0307, for losses arising from work/materials/equipment performed or provided by or on behalf of Contractor. By endorsement to Contractor’s automobile and general liability policies, the State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of Contractor. Contractor shall not commence work before Contractor has provided evidence of the required insurance in the form of a certificate of insurance and endorsement to the Contracting Agency of the State.

A. Workers’ Compensation and Employer’s Liability Insurance.

- 1) Contractor shall provide proof of worker’s compensation insurance as required per Nevada Revised Statutes Chapters 616A through 616D inclusive.
- 2) If Contractor qualifies as a sole proprietor as defined in NRS Chapter 616A.310 and has elected to not purchase industrial insurance for himself/herself, the sole proprietor must submit to the contracting State agency a fully executed “Affidavit of Rejection of Coverage” form under NRS 616B.627 and NRS 617.210.

B. Commercial General Liability – Occurrence Form. The Policy shall include bodily injury, property damage and broad form contractual liability coverage.

- | | |
|--|-------------|
| 1) General Aggregate | \$2,000,000 |
| 2) Products – Completed Operations Aggregate | \$1,000,000 |
| 3) Personal and Advertising Injury | \$1,000,000 |
| 4) Each Occurrence | \$1,000,000 |

C. Professional Liability/Errors and Omissions Liability **[Delete if Contract does not involve professional services.]** The policy shall cover professional misconduct or lack of ordinary skill for those positions defined in the Scope of Work of this contract. In the event that the professional liability insurance required by this Contract is written on a claims-made basis, Contractor warrants that any retroactive date under the policy shall precede the effective date of this Contract; and that either continuous coverage will be maintained or an extended discovery period will be exercised for a period of two (2) years beginning at the time work under this Contract is completed.

- | | |
|---------------------|-------------|
| 1) Each Claim | \$1,000,000 |
| 2) Annual Aggregate | \$2,000,000 |

Mail all required insurance documents to the Contracting Agency identified on page one of the Contract.

13. **WAIVER OF BREACH.** Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.
14. **SEVERABILITY.** If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the non-enforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.
15. **STATE OWNERSHIP OF PROPRIETARY INFORMATION.** Any data or information provided by the State to Contractor and any documents or materials provided by the State to Contractor in the course of this Contract (“State Materials”) shall be and remain the exclusive property of the State and all such State Materials shall be delivered into State possession by Contractor upon completion, termination, or cancellation of this Contract.

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16. **PUBLIC RECORDS.** Pursuant to NRS 239.010, information or documents received from Contractor may be open to public inspection and copying. The State may have the duty to disclose unless a particular record is made confidential by law or a common law balance of interests.
17. **GENERAL WARRANTY.** Contractor warrants that all services, deliverables, and/or work products under this Contract shall be completed in a workmanlike manner consistent with standards in the trade, profession, or industry; shall conform to or exceed the specifications set forth in the incorporated attachments; and shall be fit for ordinary use, of good quality, with no material defects.
18. **DISCLOSURES REGARDING CURRENT OR FORMER STATE EMPLOYEES.** For the purpose of State compliance with NRS 333.705, Contractor represents and warrants that if Contractor, or any employee of Contractor who will be performing services under this Contract, is a current employee of the State or was employed by the State within the preceding 24 months, Contractor has disclosed the identity of such persons, and the services that each such person will perform, to the Contracting Agency.
19. **GOVERNING LAW: JURISDICTION.** This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada, without giving effect to any principle of conflict-of-law that would require the application of the law of any other jurisdiction. The parties consent to the exclusive jurisdiction of and venue in the First Judicial District Court, Carson City, Nevada for enforcement of this Contract, and consent to personal jurisdiction in such court for any action or proceeding arising out of this Contract.

December 10, 2021

Julie Strandberg
Executive Director
Chiropractic Physicians' Board of Nevada
Via email: chirobd@chirobd.nv.gov

Dear Julie,

It was nice speaking with you this week! As we discussed, here is a proposed agreement for bookkeeping and payroll services for the Board.

Proposed Services:

Based on our conversation, I believe the following services are needed:

- Manage semi-monthly payroll process for 2 employees, to ensure staff is appropriately paid and government deposits / reports are done as required.
- Manage benefits payroll deductions and file reports as required. This would include PERS and PEBP.
- Enter expenditures into QuickBooks. Support for all amounts to be provided, and bills paid via online billpay
- Enter deposits into QuickBooks. Weekly deposit spreadsheets to be provided, as well as a login to Authorize.net allowing download of credit card transactions.
- Review and reconcile all cash accounts monthly.
- Produce quarterly financial reports for management and board review.
- Assist in annual budget production as needed.
- Track and reconcile board assets, both fixed and current.
- Track and reconcile board liabilities, both long term and current. This includes calculation of deferred income.
- Work with auditors and provide backup for all activity as requested.
- Manage annual compliance requirements as needed – such as audit support, W-2s, 1099s, and the annual report to the SoS.

Fee Structure:

Records will be current at time of transfer and are in QuickBooks Desktop; no setup or catchup services are required. Ongoing services would be \$600/month, paid quarterly during the first month of the quarter.

Please let me know if you have any questions.

Sincerely,



Carol Woods, President

CETS #:	
Solicitation #:	

**CONTRACT FOR SERVICES OF INDEPENDENT CONTRACTOR
FOR LESS THAN \$50,000**

A Contract Between the State of Nevada
Acting by and Through its

Agency Name:	Chiropractic Physicians' Board of Nevada
Address:	4600 Kietzke Lane, Suite M245
City, State, Zip Code:	Reno, NV 89502
Contact:	Julie Strandberg
Phone:	775-688-1923
Fax:	775-688-1920
Email:	chirobd@chirobd.nv.gov

Contractor Name:	Numbers, Inc
Address:	1285 Baring Boulevard #309
City, State, Zip Code:	Sparks, NV 89434
Contact:	Carol Woods
Phone:	775-742-2962
Fax:	
Email:	Carolwoods94123@yahoo.com

WHEREAS, NRS 333.700 authorizes officers, departments, institutions, boards, commissions, and other agencies in the Executive Branch of the State Government which derive their support from public money in whole or in part to engage services of persons as independent contractors; and

WHEREAS, it is deemed that the service of Contractor is both necessary and in the best interests of the State of Nevada.

NOW, THEREFORE, in consideration of the aforesaid premises, the parties mutually agree as follows:

- CONTRACT TERM.** This Contract shall be effective as noted below, unless sooner terminated by either party as specified in *Section 7, Contract Termination*. Contracts requiring approval of the Nevada Board of Examiners or the Clerk of the Board are not effective until such approval has occurred, however, after such approval, the effective date will be the date noted below.

Effective from:	Upon Approval	To:	06/30/2024
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- NOTICE.** All communications, including notices, required or permitted to be given under this Contract shall be in writing and directed to the parties at the addresses stated above. Notices may be given: (a) by delivery in person; (b) by a nationally recognized next day courier service, return receipt requested; or (c) by certified mail, return receipt requested. If specifically requested by the party to be notified, valid notice may be given by facsimile transmission or email to the address(es) such party has specified in writing.

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3. **SCOPE OF WORK.** The Scope of Work is described below, which is incorporated herein by reference:

DESCRIPTION OF SCOPE OF WORK:
This is a new contract to provide bookkeeping and accounting services.

An Attachment must be limited to the Scope of Work to be performed by Contractor. Any provision, term or condition of an Attachment that contradicts the terms of this Contract, or that would change the obligations of the State under this Contract, shall be void and unenforceable.

4. **CONSIDERATION.** The parties agree that Contractor will provide the services specified in *Section 3, Scope of Work* at a cost as noted below:

\$1,800.00	per	Quarter
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Total Contract or installments payable at:	Quarterly
--	-----------

Total Contract Not to Exceed:	\$17,800.00
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The State does not agree to reimburse Contractor for expenses unless otherwise specified in the Scope of Work or incorporated Attachments (if any). Any intervening end to a biennial appropriation period shall be deemed an automatic renewal (not changing the overall Contract term) or a termination as the result of legislative appropriation may require.

5. **BILLING SUBMISSION: TIMELINESS.** The parties agree that timeliness of billing is of the essence to the Contract and recognize that the State is on a Fiscal Year. All billings for dates of service prior to July 1 must be submitted to the State no later than the first Friday in August of the same calendar year. A billing submitted after the first Friday in August, which forces the State to process the billing as a stale claim pursuant to NRS 353.097, will subject Contractor to an administrative fee not to exceed one hundred dollars (\$100.00). The parties hereby agree this is a reasonable estimate of the additional costs to the State of processing the billing as a stale claim and that this amount will be deducted from the stale claim payment due to Contractor.

6. **INSPECTION & AUDIT.** Contractor agrees to keep and maintain under generally accepted accounting principles (GAAP) and as required by State and federal law, complete and accurate records as are necessary to fully disclose to the State or United States Government, sufficient information to determine compliance with all State and federal regulations and statutes, and compliance with the terms of this contract, and agrees that such documents will be made available for inspection upon reasonable notice from authorized representatives of the State or Federal Government.

7. **CONTRACT TERMINATION.**

A. Termination Without Cause. Regardless of any terms to the contrary, this Contract may be terminated upon written notice by mutual consent of both parties. The State unilaterally may terminate this contract without cause by giving not less than thirty (30) days' notice in the manner specified in *Section 2, Notice*. If this Contract is unilaterally terminated by the State, Contractor shall use its best efforts to minimize cost to the State and Contractor will not be paid for any cost that Contractor could have avoided.

B. State Termination for Non-Appropriation. The continuation of this Contract beyond the current biennium is subject to and contingent upon sufficient funds being appropriated, budgeted, and otherwise made available by the State Legislature and/or federal sources. The State may terminate this Contract, and Contractor waives any and all claims(s) for damages, effective immediately upon receipt of written notice (or any date specified therein) if for any reason the Contracting Agency's funding from State and/or federal sources is not appropriated or is withdrawn, limited, or impaired.

C. Termination with Cause for Breach. A breach may be declared with or without termination. A notice of breach and termination shall specify the date of termination of the Contract, which shall not be sooner than the expiration of the

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Time to Correct, if applicable, allowed under **Subsection 7D**. This Contract may be terminated by either party upon written notice of breach to the other party on the following grounds:

- 1) If Contractor fails to provide or satisfactorily perform any of the conditions, work, deliverables, goods, or services called for by this Contract within the time requirements specified in this Contract or within any granted extension of those time requirements; or
- 2) If any state, county, city, or federal license, authorization, waiver, permit, qualification or certification required by statute, ordinance, law, or regulation to be held by Contractor to provide the goods or services required by this Contract is for any reason denied, revoked, debarred, excluded, terminated, suspended, lapsed, or not renewed; or
- 3) If Contractor becomes insolvent, subject to receivership, or becomes voluntarily or involuntarily subject to the jurisdiction of the Bankruptcy Court; or
- 4) If the State materially breaches any material duty under this Contract and any such breach impairs Contractor's ability to perform; or
- 5) If it is found by the State that any quid pro quo or gratuities in the form of money, services, entertainment, gifts, or otherwise were offered or given by Contractor, or any agent or representative of Contractor, to any officer or employee of the State of Nevada with a view toward securing a contract or securing favorable treatment with respect to awarding, extending, amending, or making any determination with respect to the performing of such contract; or
- 6) If it is found by the State that Contractor has failed to disclose any material conflict of interest relative to the performance of this Contract.

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8. **REMEDIES**. Except as otherwise provided for by law or this Contract, the rights and remedies of the parties shall not be exclusive and are in addition to any other rights and remedies provided by law or equity, including, without limitation, actual damages, and to a prevailing party reasonable attorneys' fees and costs. For purposes of an award of attorneys' fees to either party, the parties stipulate and agree that a reasonable hourly rate of attorneys' fees shall be one hundred and fifty dollars (\$150.00) per hour. The State may set off consideration against any unpaid obligation of Contractor to any State agency in accordance with NRS 353C.190. In the event that Contractor voluntarily or involuntarily becomes subject to the jurisdiction of the Bankruptcy Court, the State may set off consideration against any unpaid obligation of Contractor to the State or its agencies, to the extent allowed by bankruptcy law, without regard to whether the procedures of NRS 353C.190 have been utilized.
9. **LIMITED LIABILITY**. The State will not waive and intends to assert available NRS Chapter 41 liability limitations in all cases. Contract liability of both parties shall not be subject to punitive damages. Damages for any State breach shall never exceed the amount of funds appropriated for payment under this Contract, but not yet paid to Contractor, for the Fiscal Year budget in existence at the time of the breach. Contractor's tort liability shall not be limited.
10. **INDEMNIFICATION AND DEFENSE**. To the fullest extent permitted by law, Contractor shall indemnify, hold harmless and defend, not excluding the State's right to participate, the State from and against all liability, claims, actions, damages, losses, and expenses, including, without limitation, reasonable attorneys' fees and costs, arising out of any breach of the obligations of Contractor under this Contract, or any alleged negligent or willful acts or omissions of Contractor, its officers, employees and agents. Contractor's obligation to indemnify the State shall apply in all cases except for claims arising solely from the State's own negligence or willful misconduct. Contractor waives any rights of subrogation against the State. Contractor's duty to defend begins when the State requests defense of any claim arising from this Contract.

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11. **REPRESENTATIONS REGARDING INDEPENDENT CONTRACTOR STATUS.** Contractor represents that it is an independent contractor, as defined in NRS 333.700(2) and 616A.255, warrants that it will perform all work under this contract as an independent contractor, and warrants that the State of Nevada will not incur any employment liability by reason of this Contract or the work to be performed under this Contract. To the extent the State incurs any employment liability for the work under this Contract; Contractor will reimburse the State for that liability.

12. **INSURANCE SCHEDULE.** Unless expressly waived in writing by the Contracting Agency, Contractor must procure, maintain and keep in force for the duration of the Contract insurance conforming to the minimum requirements specified below. Each insurance policy shall provide for a waiver of subrogation against the State of Nevada, its officers, employees and immune contractors as defined in NRS 41.0307, for losses arising from work/materials/equipment performed or provided by or on behalf of Contractor. By endorsement to Contractor’s automobile and general liability policies, the State of Nevada shall be named as an additional insured with respect to liability arising out of the activities performed by, or on behalf of Contractor. Contractor shall not commence work before Contractor has provided evidence of the required insurance in the form of a certificate of insurance and endorsement to the Contracting Agency of the State.

A. Workers’ Compensation and Employer’s Liability Insurance.

- 1) Contractor shall provide proof of worker’s compensation insurance as required per Nevada Revised Statutes Chapters 616A through 616D inclusive.
- 2) If Contractor qualifies as a sole proprietor as defined in NRS Chapter 616A.310 and has elected to not purchase industrial insurance for himself/herself, the sole proprietor must submit to the contracting State agency a fully executed “Affidavit of Rejection of Coverage” form under NRS 616B.627 and NRS 617.210.

B. Commercial General Liability – Occurrence Form. The Policy shall include bodily injury, property damage and broad form contractual liability coverage.

- | | |
|--|-------------|
| 1) General Aggregate | \$2,000,000 |
| 2) Products – Completed Operations Aggregate | \$1,000,000 |
| 3) Personal and Advertising Injury | \$1,000,000 |
| 4) Each Occurrence | \$1,000,000 |

C. Professional Liability/Errors and Omissions Liability **[Delete if Contract does not involve professional services.]** The policy shall cover professional misconduct or lack of ordinary skill for those positions defined in the Scope of Work of this contract. In the event that the professional liability insurance required by this Contract is written on a claims-made basis, Contractor warrants that any retroactive date under the policy shall precede the effective date of this Contract; and that either continuous coverage will be maintained or an extended discovery period will be exercised for a period of two (2) years beginning at the time work under this Contract is completed.

- | | |
|---------------------|-------------|
| 1) Each Claim | \$1,000,000 |
| 2) Annual Aggregate | \$2,000,000 |

Mail all required insurance documents to the Contracting Agency identified on page one of the Contract.

13. **WAIVER OF BREACH.** Failure to declare a breach or the actual waiver of any particular breach of the Contract or its material or nonmaterial terms by either party shall not operate as a waiver by such party of any of its rights or remedies as to any other breach.

14. **SEVERABILITY.** If any provision contained in this Contract is held to be unenforceable by a court of law or equity, this Contract shall be construed as if such provision did not exist and the non-enforceability of such provision shall not be held to render any other provision or provisions of this Contract unenforceable.

15. **STATE OWNERSHIP OF PROPRIETARY INFORMATION.** Any data or information provided by the State to Contractor and any documents or materials provided by the State to Contractor in the course of this Contract (“State Materials”) shall be and remain the exclusive property of the State and all such State Materials shall be delivered into State possession by Contractor upon completion, termination, or cancellation of this Contract.

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17. **GENERAL WARRANTY.** Contractor warrants that all services, deliverables, and/or work products under this Contract shall be completed in a workmanlike manner consistent with standards in the trade, profession, or industry; shall conform to or exceed the specifications set forth in the incorporated attachments; and shall be fit for ordinary use, of good quality, with no material defects.
18. **DISCLOSURES REGARDING CURRENT OR FORMER STATE EMPLOYEES.** For the purpose of State compliance with NRS 333.705, Contractor represents and warrants that if Contractor, or any employee of Contractor who will be performing services under this Contract, is a current employee of the State or was employed by the State within the preceding 24 months, Contractor has disclosed the identity of such persons, and the services that each such person will perform, to the Contracting Agency.
19. **GOVERNING LAW: JURISDICTION.** This Contract and the rights and obligations of the parties hereto shall be governed by, and construed according to, the laws of the State of Nevada, without giving effect to any principle of conflict-of-law that would require the application of the law of any other jurisdiction. The parties consent to the exclusive jurisdiction of and venue in the First Judicial District Court, Carson City, Nevada for enforcement of this Contract, and consent to personal jurisdiction in such court for any action or proceeding arising out of this Contract.

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 21** Discussion and possible action regarding the Administrative Collaborative– For possible action.

RECOMMENDED MOTION: **Allow the Board to officially join the Administrative Collaborative.**

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **5 minutes**

BACKGROUND INFORMATION: The Administrative Collaborative consists of the Board Executive Directors and is a pro-active approach to addressing State and Legislative concerns with respect to the Boards operating on their own.

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 22 Public Interest Comments – No action**

This portion of the meeting is open to the public to speak on any topic and may be limited to 3 minutes

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

PREPARED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

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

BACKGROUND INFORMATION:

REVIEWED BY: President Secretary Executive Director

ACTION: Approved Approved w/Modifications Denied Continued

Agenda Item 22

CHIROPRACTIC PHYSICIANS' BOARD OF NEVADA

AGENDA ACTION SHEET

TITLE: **Agenda Item 23** Adjournment – For possible action

RECOMMENDED MOTION: **Adjourn the meeting.**

PRESENTED BY: **Margaret Colucci, DC**

MEETING DATE: **February 3, 2022**

TIME REQUIRED: **2 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