

Steve Sisolak
Governor



Nicole Canada, DC
President
Xavier Martinez, DC
Vice President
James T. Overland Sr., DC
Secretary-Treasurer

Morgan Rovetti, DC
Member
Margaret Colucci, DC
Member
Christian L. Augustin, Esq.
Consumer Member
Reza R. Ayazi, Esq.
Consumer Member
Julie Strandberg
Executive Director

CHIROPRACTIC PHYSICIAN'S BOARD OF NEVADA

4600 Kietzke Lane, M-245 | Reno, Nevada 89502-5000
Phone: (775) 688-1921 | Fax: (775) 688-1920
Website: <http://chirobd.nv.gov> | Email: chirobd@chirobd.nv.gov

A meeting of the Chiropractic Physicians' Board was held on Thursday, July 14, 2022 by zoom conference.

The following Board members were present at roll call:

Margaret Colucci, DC, President
Nicole Canada, DC, Vice President
James T. Overland Sr., DC, Secretary-Treasurer
Christian L. Augustin, Esq., Consumer Member
Reza R. Ayazi, Esq., Consumer Member

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

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. Colucci 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.

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.

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

Agenda Item 3 Approval of the April 14, 2022 Board Meeting Minutes. - For possible action.

Dr. Overland moved to approve the April 14, 2022 Board meeting minutes. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 4 Legislative Matters – For possible action.

July 14, 2022

Dan Musgrove with Strategies 360 was present and stated that the primary election was held on June 14, 2022 and shared the individuals running for constitutional office, senate and assembly. Mr. Musgrove confirmed that the deadlines to submit a bill to the 2023 legislative session are August 1 and December 10. Dr. Musgrove stated that the interim committees will be wrapping up their work throughout August.

Agenda Item 6 Discussion and potential action regarding the Matter of Michael Milman, DC (Note: The Board may go into closed session pursuant to NRS 241 to consider the character, alleged misconduct, or professional competence of Dr. Milman.) For possible action.

Dr. Canada confirmed with Mr. Ling that the Board did not need to go into closed session. Dr. Canada stated that Dr. Michael Milman is before the Board to request that his probation be terminated. Mr. Ling shared that Dr. Milman had completed the stipulations per the November 9, 2020 Board order with the exception of probation and practice monitoring. Mr. Ling shared Dr. Milman's discipline by the California Board of Chiropractic Examiners. Mr. Ling stated that Dr. Milman has gained employment with the Joint, which activates the practice monitoring. Mr. Ling stated that he, Dr. Colucci and Julie have been working with Dr. Milman to implement the agreement for practice monitoring with Affiliated Monitors. Dr. Milman stated that the insurance fraud case in California has been dismissed and expunged and requested that he be removed from probation. Dr. Canada asked Dr. Milman why he believes the Board should terminate his probation when he hasn't satisfied the monitoring piece. Dr. Milman indicated that he did complete everything he was told to do and stated that the monitoring company has a problem, not him. Mr. Ling explained that Dr. Milman and/or the Joint provided a counter-offer to the agreement from Affiliated Monitors, however there are not any negotiations. Dr. Overland stated that the request to remove Dr. Milman's probation is pre-mature and until we obtain feedback from Affiliated Monitors the order remain as executed. Dr. Canada agreed with Dr. Overland, and stated that once the Board is in receipt of quarterly reports the Board could revisit the termination of Dr. Milman's probation. Mr. Augustin clarified that the Board order is asking for quarterly reports, which the Board has not received. Dr. Canada moved that the Board deny Dr. Milman's request to terminate his probation. Mr. Augustin seconded, and the motion passed with all in favor. Dr. Colucci recused herself as the investigating board member.

Agenda Item 5 Discussion and potential action regarding the consideration of the NBCE taking over the chiropractic physicians jurisprudence examination – For possible action.

Dr. Jason Jaeger was present and introduced Dr. Bruce Shotts, Vice President of test development at NBCE. Dr. Jaeger indicated that this is a follow-up to a previous discussion, asking the Board to consider turning the DC jurisprudence exam over to the NBCE to improve the psychometric analysis, the viability of the exam and remove the burden from staff. Dr. Jaeger stated that the NBCE can conduct an analysis of the current exam and bring the results back to the Board and work collaboratively to make a recommendation on the best product to bring forward at no cost to the Board. All time spent will be absorbed by the NBCE. Dr. Jaeger stated that he understands that the Board has concerns with respect to the scores not being available immediately, and confirmed that the results can be provided within a week. Dr. Jaeger stated that the NBCE can perform the same analysis on the CA exams at no cost to the Board. Dr. Overland stated that he had a previous discussion with Dr. Shotts regarding whether the NBCE could conduct an analysis of the CA exam. Dr. Shotts confirmed that the NBCE is able to conduct an

July 14, 2022

analysis of the CA exam and provide recommendations and then the Board could decide whether to allow the NBCE to administer the CA exam. Dr. Overland recommended that the DC and CA exams be psychometrically analyzed prior to the board deciding whether to allow the NBCE to take over the administering of the exams. Dr. Jaeger confirmed that this is not a profit situation that the NBCE is trying to pursue, but a service to the board. Dr. Colucci asked what the NBCE charges for the law exam and Dr. Shotts indicated that the exams hosted on the NBCE servers are \$55.00. Dr. Colucci asked if the Board entered into a contract with the NBCE could the NBCE guarantee that the fees would not increase? Dr. Shotts stated he cannot confirm that the exam fee would not increase, however the exam fee will not increase during a contract period.

Dr. Overland made a motion that the NBCE conduct a psychometric analysis on the DC law exam and both of the CA exams and re-write the inappropriate questions to make the exam sound. Dr. Colucci seconded, and the motion passed with all in favor.

Agenda Item 7 - Discussion and potential action regarding the application for licensure of Corazon Murillo-Lanyon, 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. Lanyon). – For possible action.

Dr. Canada confirmed with Mr. Ling that the Board did not need to go into closed session. Dr. Canada welcomed Dr. Lanyon and asked Mr. Ling to provide an overview of Dr. Lanyon's history as it relates to her discipline with this Board and the California Board of Chiropractic Examiners. Mr. Ling referenced NRS 634.204, NRS 622A and NRS 622A.410, which are the laws that the Board is required to follow as it considers Dr. Lanyon's application for DC licensure. Mr. Ling provided Dr. Lanyon's history with the Chiropractic Physicians' Board of Nevada resulting in revocation as well as her history with the California Chiropractic Board of Examiners resulting in revocation. Dr. Canada asked Dr. Lanyon if she concurred with the statements made by Mr. Ling and she indicated that she did. Dr. Canada asked Dr. Lanyon if she would like to speak. Dr. Lanyon thanked the Board for giving her this opportunity. Dr. Lanyon stated that she believes that the California Board revoked her license after confirming that Nevada had revoked her license. Dr. Lanyon stated that she abided by all requirements of the Nevada application and feels that she has paid her dues, by completing the NBCE Part IV examination, settling the two California consumer complaints, and as far as her character she has not done anything wrong since the revocation of her California license. Dr. Lanyon stated that her revocation was not due to harming anyone, but because of the advertisement by her marketing agency. Dr. Lanyon asked that the Board give her application careful consideration and if the Board feels conditions are required, she would be happy to comply. Dr. Canada asked the Board if they had any questions. Dr. Overland asked Dr. Lanyon if she was currently practicing. Dr. Lanyon stated that she has not practiced since her license was revoked in California and is currently a healthcare consultant for doctors. Mr. Ayazi asked Dr. Lanyon if she owns Scottsdale Integrated Health Center and she stated that she is part owner. Mr. Ayazi asked Dr. Lanyon if she provided any chiropractic care for any medical disorders and Dr. Lanyon indicated that she does not, but she speaks to the patients to see if they can be a patient of Scottsdale Integrated Health Center. Mr. Ayazi asked Dr. Lanyon what type of licensure the doctors hold and she indicated that they have chiropractic physician licenses. Mr. Ayazi asked Dr. Lanyon if the chiropractic physicians are holding themselves out to treat metabolic disorders and Dr. Lanyon stated yes. Mr. Ayazi asked Dr. Lanyon if it was her belief that she can reverse and cure diabetes, and she indicated no. Mr. Ayazi asked Dr. Lanyon if it was her belief that she can cure type II diabetes

July 14, 2022

and she stated that the body cures or heals itself from within, as well as other metabolic disorders as long as the doctor is providing the proper coaching and nutrition. Mr. Ayazi confirmed that the doctors at Scottsdale Integrated Health Center are providing chiropractic care in an effort to help the body self-heal for all sorts of diseases including metabolic diseases and diabetes type I and II and Dr. Lanyon stated type II only. Mr. Ayazi asked the Board if chiropractic care can treat type II diabetes and cure and reverse diabetes. Dr. Canada stated that in her opinion, no, however she stated that there are chiropractors that would disagree. Dr. Overland asked Dr. Lanyon if the doctors in the Scottsdale facility have advanced degrees and she indicated that they did. Dr. Lanyon stated that she is board certified from the Institute of Functional Medicine. Dr. Overland stated that many chiropractic physicians who have advanced training degrees treat metabolic disorders as well as other disorders in the body. Dr. Canada asked Dr. Lanyon if she is currently licensed in Arizona, and if she is presenting herself as a doctor and Dr. Lanyon stated that she is not licensed, and is presenting herself as a consultant. Dr. Overland asked Mr. Ling if a non-licensed doctor can own a health facility in Arizona and Mr. Ling indicated that he is not familiar with Arizona law. Dr. Lanyon stated that she confirmed with the Arizona Chiropractic Board of Examiners that an individual does not have to be a licensed practitioner to own a healthcare facility. Dr. Canada stated that her concern is that Dr. Lanyon may be practicing as a chiropractic physician with a functional medicine certification, without a valid chiropractic license in the state of Arizona. Dr. Lanyon stated that she does not practice chiropractic, and tells the patients that she is Cora Lanyon, Director of Admissions for Dr. X. Dr. Lanyon stated that as a consultant, she is able to conduct the patient's initial evaluation and take their health history, but does not recommend any type of treatment. Dr. Canada asked if any other Board members are concerned with this. Dr. Overland asked Dr. Lanyon if she has ever recommended that a patient not receive care during the consultation and she stated that she has. Dr. Lanyon said that she determines whether the patient is a good fit for the care the doctor has recommended, for example, exercise, diet, etc. and if they are not willing to follow the doctors' recommendations, she notifies the patient that they will not receive care. Dr. Overland shared Dr. Canada's concerns stating that this appears to be a slippery slope as to whether Dr. Lanyon is practicing some degree of chiropractic in Arizona. Dr. Lanyon stated that she speaks with all patients virtually and then refers them to the office where the doctor is practicing and indicated that she works with patients and doctors in outside of Arizona. Mr. Augustin asked Dr. Lanyon why her license was revoked in California. Dr. Lanyon stated that an MD filed an advertisement complaint, another complaint was for the sign on the top of her building that stated, "Diabetic Specialty Clinic," and there were two consumer complaints. Mr. Ayazi asked Dr. Lanyon if she understood that the California order identifies additional discipline, which is more than what she referred to and Dr. Lanyon stated that she did not have the order in front of her, but that is what she remembered. Mr. Augustin made a motion to deny Dr. Lanyon's application. Mr. Ayazi seconded. Dr. Overland asked if the Board would consider obtaining additional information from Arizona. Mr. Augustin withdrew his motion. Mr. Augustin amended his motion and moved to deny this application and that Dr. Lanyon may re-apply. Dr. Overland seconded, and the motion passed with all in favor. Dr. Lanyon asked what the Board was looking for and Dr. Canada recommended that Dr. Lanyon obtain the scope of work and any other necessary information from Arizona.

Agenda Item 8 NCA Report – No action

Dr. Marcia Tinberg was present and reported on behalf of the NCA. Dr. Tinberg stated that the NCA's web-site has been under construction and they have a new mailing address. Dr.

July 14, 2022

Tinberg stated that the NCA will be holding an-person CA exam review on September 3, 2022 and will be holding a workshop discussing concussion, NTBI and PCS on September 24, 2022. Dr. Tinberg stated that the NCA is always working on membership.

Agenda Item 10 Board Counsel Report – No action

Mr. Ling stated that he had nothing to report.

Agenda Item 11 PUBLIC WORKSHOP: Will begin at 9:00 a.m. at Zoom

<https://us06web.zoom.us/j/82200414005?pwd=QVExYnpRVmtheGFKaWJoVktPd21rQT0>

9 Discussion to consider amendments to Nevada Administrative Code 634. - For possible action.

Mr. Ling provided an overview of the revisions made to NAC 634. Dr. Canada called for public comment and there was none. Dr. Overland moved to approved the revisions to NAC 634. Mr. Ayazi seconded and the motion passed with all in favor.

Agenda Item 12 Discussion and potential action regarding the board examinations being psychometrically analyzed – For possible action.

Dr. Overland stated that this matter was discussed under agenda item 5, so there is nothing further to discuss at this time.

Agenda Item 13 Discussion and potential action regarding whether the Senaptec Unit falls under a chiropractic physicians' scope of practice - For possible action.

Dr. Overland stated that following the April 14, 2022 meeting he conducted additional research on the Senaptec Unit and based on his findings this unit may be used by chiropractic physicians. Dr. Canada believes that this device falls under physiotherapy. Mr. Ayazi made a motion to add the Senaptec Unit to the list of approved physiotherapeutic equipment. Dr. Overland seconded, and the motion passed with all in favor.

Agenda Item 14 Discussion and possible action regarding chiropractic physicians using the designation, Certified Independent Rating Specialist (CIRS) upon mandatory testing through the American Academy of Expert Medical Evaluators (AAEME) – For possible action.

Dr. Overland stated that the Board previously discussed and approved the use of CICE, which is the certification received through ABIME, however the Board did not address the use of CIRS, which is the certification received through AAEME. Dr. Overland made a motion to allow DCs to use CIRS. Mr. Ayazi seconded, and the motion passed with all in favor.

Agenda Item 15 Discussion and potential action regarding Physiotherapeutic Equipment – For possible action.

Dr. Canada stated that the list of physiotherapeutic equipment was provided for informational purposes.

Agenda Item 16 Discussion and potential action regarding the shock wave and pulse wave being considered physiotherapeutic equipment – For possible action.

Dr. Canada stated that these devices do fall under physiotherapeutic equipment.

July 14, 2022

Agenda Item 17 Discussion and potential action regarding a chiropractic physician marketing and advertising with an attorney and sharing expenses – For possible action.

Dr. Canada stated that she is not aware of any issues with a chiropractic physician marketing and advertising with an attorney and sharing expenses. Mr. Ayazi agreed, however stated that the Bar does have some regulations as it relates to advertising. Mr. Ling stated that there are not any laws that prohibit that a chiropractic physician and an attorney market, advertise and share expenses in a joint manner.

Agenda Item 9 NCC Report – No action

Andrea Waller, Executive Director of the NCC was present and reported that the NCC is holding their 7th Annual Convention at the Orleans in Las Vegas, NV on November 29, 2022. Dr. Jay Greenstein and Hannah Simmons will be presenting. The NCC has the same number of members reported at the previous meeting.

Agenda Item 18 Discussion and potential action regarding a chiropractic physician or chiropractor's assistant failing to complete the required hours of Continuing Education by December 31 – For possible action.

Julie Strandberg explained that the Board packet included a draft of a policy to address the random continuing education (CE) audit and the failure to complete the required hours of CE by a DC and a CA. Following renewals, a query will run, randomly selecting 20% of active licensees. The selected licensees will receive a postcard at their mailing address on record with the Board as well as an email. Julie explained that if a selected licensee/CA fails to submit their CE certificate(s) within 30 days of receipt of notice they will be sent a citation and stated that the Board will need to decide the amount to fine the chiropractic physicians and the chiropractic assistants.

Dr. Canada made a motion that the DC pay \$100.00 per missing credit, not to exceed \$1,000.00 and CAs be fined \$50.00 per missing credit, not to exceed \$500.00 and be given 30 days to complete the deficient CE(s) from receipt of the citation from the Board. If a licensee or CA does not comply, they will receive a cease and desist and receive discipline. Dr. Overland seconded, but recommended that the DC not to exceed amount be more than \$1000.00. Mr. Augustin recommended that the DC not to exceed amount be \$1,500.00. Dr. Canada amended her motion to limit the DC fine to \$1,500.00. Mr. Augustin seconded, and the motion passed with all in favor.

Agenda Item 19 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 21-01S (Nolle)

Julie Strandberg stated that the DC provided the necessary documentation to thoroughly investigate this complaint and recommended that this complaint be

dismissed with a letter of instruction. Dr. Overland moved to dismiss complaint 21-01S with a letter of instruction. Mr. Augustin seconded, and the motion passed with all in favor. Dr. Colucci recused herself and stated that she must disclose and abstain from participating in this matter due to having information regarding this matter gained outside the Board's proceedings.

D. Complaint 21-03S (Canada)

Dr. Canada stated that this complaint is against a DC who had criminal charges brought against him and is waiting for the results of the trial.

E. Complaint 21-29N (Canada)

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

F. Complaint 21-31S (Colucci)

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

G. Complaint 21-32S (Overland)

Mr. Ling stated that this complaint was against a DC for failure to provide the patient their records, the records were requested by the Board and received. The complainant indicated that the records were not accurate, however stopped cooperating with the investigation, so a letter was sent to the complainant indicating that if they did not respond the complaint would be closed. Dr. Overland stated that after reviewing the records there are issues with the DC's record keeping and recommended that this complaint be dismissed with a letter of instruction. Dr. Canada moved to dismiss complaint 21-32S with a letter of instruction. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Overland recused himself as the investigating board member.

H. Complaint 22-03S (Overland)

Dr. Overland stated that the complainant had dual insurance coverage, which would cover all services rendered with the exception of supplements. The DC charged the patient for the services, awaiting reimbursement from the patient's insurances. The DC appropriately reimbursed the patient, so Dr. Overland recommended that this complaint be dismissed with a letter of instruction. Mr. Ayazi moved to dismiss complaint 22-03S with a letter of instruction. Dr. Canada seconded, and the motion passed with all in favor. Dr. Overland recused himself as the investigating board member.

I. Complaint 22-06S (Overland)

Dr. Overland stated that this is an advertising complaint against a clinic that has two chiropractic physicians. It was reported that their website indicated that they were the best chiropractors in Las Vegas and were advertising credentials that were not approved by the Board. Dr. Overland confirmed that the DC's had removed the statement indicating that they were the best and stated that the DC's indicated that they would remove the credentials until they were approved by the Board. Dr. Overland recommended that this complaint be dismissed with a letter of instruction. Mr. Ayazi moved to dismiss complaint 22-06S with a letter of instruction. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Overland recused himself as the investigating board member.

J. Complaint 22-07S (Canada)

Dr. Canada stated that the complainant indicated that she had visited three chiropractic physician's and did not receive the treatment expected. Dr. Canada asked the complainant if the chiropractic physician's recommended other care and she said they

July 14, 2022

did, however, she had not sought out other treatment. Dr. Canada reviewed the patient's records and did not see any issues. Dr. Canada recommended that this complaint be dismissed. Dr. Overland moved to dismiss complaint 22-07S. Dr. Colucci seconded, and the motion passed with all in favor. Dr. Canada recused herself as the investigating board member.

K. Complaint 22-08S (Canada)

Dr. Canada stated that this is a new complaint and is under investigation.

Agenda Item 20 FCLB/NBCE Matters – For possible action.

A. District I & IV Meeting – Incline Village, NV Sept. 30 – Oct. 1, 2022

Dr. Canada asked if there was interest in attending the district meeting. Dr. Colucci recommended that since the district meeting is being held in Nevada that all Board members, staff and the Board attorney be able to attend if interested. Dr. Overland made a motion that any and all Board members may attend the district meeting in Incline Village, NV. Dr. Colucci asked if Dr. Overland would amend his motion to allow staff and the Board attorney attend. Dr. Overland amended his motion to allow staff and the Board attorney to attend. Mr. Ayazi seconded, and the motion passed with all in favor.

B. Other FCLB/NBCE matters.

Dr. Canada stated that the Board packet includes a memo issued by the FCLB regarding a lawsuit against them. Dr. Overland stated that this is just information to disseminate and to make the Board aware of this matter.

Agenda Item 21 Consideration of potential additions, deletions, and/or amendments to NRS 634 and NAC 634– For possible action.

Julie Strandberg stated that this is a standing agenda item in the event a Board member identifies a change to NRS or NAC 634.

Agenda Item 22 Committee Reports

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

Dr. Martinez was not present to report.

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

Dr. Overland stated that he did not have anything further to report.

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

Dr. Rovetti was not present to report.

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

Dr. Canada stated that considering our previous conversation with the NBCE regarding the exam the workshop will be cancelled until a later time.

Agenda Item 23 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 April to June 2022 – No action.

E. CA certificates to applicants who passed the examination on June 15, 2022.-No action.

Julie Strandberg gave an overview of the executive director reports.

July 14, 2022

Agenda Item 24 Financial Status Reports:

- A. Current cash position & projections – No action.**
- B. Accounts Receivable Summary – No action.**
- C. Accounts Payable Summary – No action.**
- D. Employee Accrued Compensation – No action.**
- E. Income/Expense Actual to Budget Comparison as of May 31, 2022 – No action.**
- F. Budget to Actual at May 31, 2022 – No action.**
- G. Annual Board Audit Update – No action**

Julie Strandberg gave an overview of the executive director reports and stated that the 2021 audit recommended that the Board consider Employee Bond-Crime coverage. Dr. Overland stated that he is in favor of this coverage as a pro-active effort to cover the Board. Mr. Ling stated that since this item was on the agenda as no action, the Board cannot make a motion today. Julie Strandberg stated that this item will be added to the next Board meeting agenda.

Agenda Item 25 Discussion and possible action regarding the staff evaluation for Brett Canady - For possible action

Julie Strandberg reviewed the evaluation for Brett Canady and recommended that she receive a 5% increase in her hourly wage. Mr. Augustin made a motion to approve the 5% pay increase. Dr. Overland seconded, and the motion passed with all in favor.

Agenda Item 26 Public Interest Comments – No action.


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

There were no public comments.

Agenda Item 27 Adjournment – For possible action.

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

October 13, 2022



James T. Overland Sr., DC
Secretary-Treasurer