

**Joe Lombardo**  
*Governor*



**Nicole Canada, DC**  
*President*  
**Benjamin S. Lurie, DC**  
*Vice President*  
**Jason O. Jaeger DC**  
*Secretary-Treasurer*

**Xavier Martinez, DC**  
*Member*  
**Adam L. Ingles, DC**  
*Member*  
**Christian L. Augustin, Esq.**  
*Consumer Member*  
**Reza R. Ayazi, Esq.**  
*Consumer Member*  
**Julie Strandberg**  
*Executive Director*

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

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### **NOTICE OF MEETING**

A meeting of the Chiropractic Physicians' Board was held on Thursday, April 11, 2024 by zoom conference.

The following Board members were present at roll call:

Nicole Canada, DC, President  
Benjamin S. Lurie, DC, Vice President  
Jason O. Jaeger, DC, Board Member  
Xavier Martinez, DC, Board Member  
Adam Ingles, DC, Board Member  
Christian L. Augustin, 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.

Reza Ayazi, Board Member was present.

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

There were no public interest comments.

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

Mr. Ayazi moved to approve the agenda. Mr. Augustin seconded, and the motion passed with all in favor.

#### **Agenda Item 3 Approval of the January 11, 2024 Board Meeting Minutes - For possible action.**

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

#### **Agenda Item 4 Legislative Matters – For possible action.**

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Mr. Musgrove, on behalf of Strategies 360, was present and shared that the filing for candidates closed and there are roughly 38 candidates running for senate seats, of which, there are six incumbents. There are 105 candidates running for 42 assembly seats, of which, there are 31 incumbents. As of April 4, 2024 there are 20 assembly seats and 4 senate seats where there are more non-partisans registered than either democrats or republicans. To date, Mr. Musgrove is not aware of this board being discussed among the legislators.

**Agenda Item 5 NCA/NCC Report – No action.**

Dr. Marcia Tinberg, President was present and reported that the NCA is sponsoring an AMA 5<sup>th</sup> Edition course for the Nevada PPD Raters on April 27-28, 2024 at the Marriott-Fairfield Inn. The NRSAT exam will also be given. A similar course was also sponsored by the NCA and was held in December 2023. The NCA is planning to sponsor multiple continuing education courses throughout the year, however the cost of venues continues to be a challenge. The NCA and the NCC continue to work towards merging.

Dr. Tinberg requested to comment on agenda items 13 and 15 on behalf of the NCA and Dr. Canada approved. Dr. Tinberg stated that with respect to agenda item 13, the NCA supports doing away with testing in lieu of an attestation that the CAs have knowledge of the CA exam and law exam, but keep the radiology exam. Dr. Tinberg stated that with respect to agenda item 15, the NCA supports the CA performing duties while the DC is out of the office and is willing to work with the board to submit a bill. Dr. Tinberg shared that the NCA previously sponsored a bill to allow CA to perform duties while the DC is out, and was favorable by the legislature, but was not signed by the Governor. Dr. Tinberg stated the NCA would be happy to work with the board with respect to submitting a bill.

Dr. Teddy Sim, President was present and reported that the NCC is collaborating with the NCA and are working with their attorney to finalize the bylaws. Dr. Sim stated that he and Dr. Tinberg are working on continuing education seminars and expect the seminars to be scheduled on June 22, 2024 and on October 18, 2024, which is chiropractic month.

**Agenda Item 6 Board Counsel Report – No action.**

Mr. Ling stated that he had nothing to report.

**Agenda Item 7 Discussion and potential action regarding obtaining a Somatic EMDR Therapy Certificate – For possible action.**

Dr. Canada welcomed Dr. Kyrach Bacote and asked that she present her request. Dr. Bacote stated that she is the only DC working in an integrated medicine research clinic at Nellis Air Force Base hospital and treats active duty, veterans and their dependents. Dr. Bacote stated that she is enrolled in somatic EMDR certification to better assist patients. This is not what a mental health provider would do, but through the use of mindfulness techniques and somatic, nervous system regulation. EMDR is structured for physicians treating trauma to address in a way what their body is feeling and how to better regulate through breath. She will not be diagnosing, it is not psycho-analysis, its purely helping people become embodied and integrate trauma that is held within their tissue. Following completion of this course, Dr. Bacote will submit her certification to the hospital administration for credentialing in order to provide these services in addition to chiropractic. The credentialing office requested documentation from this board that expresses that somatic meaning body and EMDR falls within the scope of a DC.

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Dr. Lurie stated that he is in favor of this therapy and thanked Dr. Bacote for her work. Dr. Jaeger stated that he would like to mirror what Dr. Lurie shared. Dr. Lurie confirmed with Dr. Bacote that documentation from the board to be provide to her employer that the board is in approval.

Dr. Lurie made a motion to approve EDMR therapy with certification of the completed 60 hours. Dr. Ingles seconded, and the motion passed with all in favor.

**Agenda Item 8 Discussion and potential action relating to the discipline imposed on Michael Milman, DC in Case No. 20-07S - 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. Milman)**

Dr. Canada welcomed Dr. Milman and stated that he has been before the board previously to request release from probation and practice monitoring. Dr. Canada asked Dr. Milman if he had additional information to provide the board that the board has not already considered. Dr. Milman stated that he feels that he has complied with the board's recommendations, but stated that he had no additional information. Dr. Canada asked Dr. Martinez if he had anything to add. Dr. Martinez stated that Dr. Milman has spent more time arguing and writing letters as to why he shouldn't be subject to the board order, when it would have benefitted him more to direct his effort toward his documentation. Dr. Martinez recommended that Dr. Milman's probation stay in place until the board sees consistent compliance. Dr. Ingles asked Dr. Milman what his plan is, if he were to be released from probation and monitoring, and Dr. Milman stated that he could not answer that. Dr. Lurie stated that while the compliance reports are getting better, one good report does not dismiss him from probation, but a series of good progress reports. Dr. Lurie recommended that Dr. Milman discuss a plan with the investigating board member and request that a recommendation be provided to the board by the investigating board member and the practice monitor recommending dismissal from probation and monitoring.

Dr. Martinez made a motion to deny Dr. Milman's petition to be released from probation and monitoring and that the probation and monitoring remain in place through the duration unless additional information is obtained showing compliance. Dr. Jaeger seconded. Mr. Augustin recommended that the motion omit, "unless additional information is obtained showing compliance." Mr. Augustin recommended that the motion simply state, maintain the order as written. The motion failed. Dr. Martinez made a motion to deny Dr. Milman's petition and that the order stay in place. Dr. Jaeger seconded, and the motion passed with all in favor.

**Agenda Item 10 Discussion and potential action regarding a chiropractic clinic supplying and administering Narcan/Naloxone in the event of an accidental overdose – For possible action.**

Dr. Canada stated that she is in favor of chiropractic practices supplying Narcan since it is offered over-the-counter. Dr. Lurie stated that he brought this before the board based on what is occurring in society and appreciated the information provided by Mr. Ling. Dr. Martinez stated that he is in agreement, however he stated concern with identifying an overdose in progress versus another medical emergency and asked if DCs should take a course to administer Narcan. Mr. Ling stated that resources and a list of symptoms can be found on the Substance Abuse and Mental Health Services Administration (SAMHSA) website or the manufacturers website.

Dr. Lurie made a motion based on the SAMHSA, that the workplace having a supply of Narcan, 4 mg nasal spray on hand would be accepted by the chiropractic physicians board for use

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in the event of an emergency within the clinic or outside. Mr. Ayazi asked whether chiropractic assistants are able to administer Narcan in the same manner as the chiropractic physician. Mr. Ling stated that since it is over-the-counter, they are properly trained and allowed by the chiropractic physician they could. Dr. Lurie accepted the amendment to include that chiropractic assistants are allowed to administer Narcan. Mr. Ayazi seconded, and the motion passed with all in favor.

**Agenda Item 11 Discussion and potential action regarding applicants who misrepresent information on their application in accordance with the results of their background check– For possible action.**

Dr. Canada turned this agenda item over to Dr. Lurie. Dr. Lurie stated that there are gray areas within the regulations and statutes with respect to handling CAs and DCs who falsify their responses to background questions on their application, which is confirmed upon receipt of their background results. Currently, there is nothing staff can do, except send a letter to the CA in training that indicates that the response(s) on their application contradict with the background results from the state and/or FBI and that they are now required to come before the board to resolve the issue(s). Dr. Lurie stated that there is no stop gap. Currently CA's continue to work as a CA, but should their application be put on hold until they come before the board? Dr. Martinez recommended that the application be put on hold, meaning that the CA can no longer perform CA duties until they appear before the board. Mr. Ling stated that he appreciated the concern, however, that is summarily suspending a person's ability to practice, and in order to do that, the board has to make a finding that the person under the particular circumstance(s) presents an eminent risk of harming the public. Dr. Lurie made a motion that in the event the background results conflict with the responses on the application, the board hold an emergency meeting to review these applications. Dr. Martinez seconded, and the motion passed with all in favor.

**Agenda Item 9 Hearing and deliberation in the Matter of Casey Robinson, DC, License No. B01263, Complaint No. 23-11S – 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. Robinson.)**

Dr. Canada asked if there was a motion to go into closed session. Dr. Jaeger made a motion to go into closed session. Dr. Lurie seconded, and the motion passed with all in favor. Mr. Ling asked that the record reflect that Dr. Casey Robinson was not present for this hearing and will proceed by way of default. Mr. Ling outlined the documents in the board meeting packet. Ms. Harris swore in Julie Strandberg. Mr. Ling asked questions of Julie Strandberg. The matter was discussed by the board.

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

Mr. Ayazi recommended that since Dr. Robinson did not appear he defaulted on the facts, and the allegations are accepted as true. Mr. Ling stated that staff would ask that the board find that the facts as presented in this matter substantiate a violation of the first charge in this matter. Dr. Jaeger made a motion as stated by Mr. Ling. Dr. Ingles seconded, and the motion passed with all in favor. Mr. Ayazi abstained as the investigating board member.

Mr. Ling stated that staff's recommendation is that the board seek fees and costs, Dr. Robinson is currently on probation, the fining authority is allowed up to \$5,000.00 for each act, for a total of \$25,000.00 for the completion of five PPD ratings, and the board may revoke,

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suspend or limit his practice. Staff feels that a revocation or a suspension would be appropriate, however ultimately recommends revocation, fine and reimbursement of fees and costs.

Dr. Lurie made a motion based on staff's recommendation, to revoke Dr. Robinson's license for two years, pay attorney's fees and costs related to the investigation, pay a fine of \$5,000 for each PPD performed while his license was expired, for a total of \$25,000.00. To reinstate his license he would have to take and pass the EBAS ethics exam, portions to be determined by the board, additional 12 hours of CE in ethics and boundaries on top of 36 hours for a period of time that his license would be revoked, at which point, he could submit application and appear before the board. Dr. Jaeger seconded, and the motion passed with all in favor. Mr. Ayazi recused himself as the investigating board member.

**Agenda Item 12 Discussion and potential action regarding the Doctor of Chiropractic jurisprudence examination – For possible action.**

Dr. Canada stated that she is concerned that the existing exam is not psychometrically analyzed and feels that the exam should be outsourced to the NBCE. Dr. Lurie stated that he is in favor of the attestation, however if the board kept the exam he would recommend that it be outsourced to someone other than the NBCE. Mr. Augustin stated that based on information provided, he leans more towards an attestation, however if the board feels the exam is necessary the exam should be managed by someone who specializes in writing examinations, in this case, the NCBE. Dr. Jaeger stated that since he advocated for the NBCE to take over the jurisprudence exam prior to being appointed to this board he will follow that directive from Mr. Ling and not weigh in. Julie Strandberg expressed concern with how the legislature would view the elimination of the exam. Dr. Lurie explained that it depends on how it is presented. In addition, Dr. Lurie stated that this change goes back to the Governor's mission, to loosen regulations, making it easier to apply and obtain licensure, so we are following what the Governor has asked boards to do. Dr. Martinez stated that he leans more towards simplifying the process and an attestation would meet the requirement. Dr. Canada stated that she is in favor of continuing with the jurisprudence exam and has concerns that our candidates will not complete a thorough review of the rules and regulations, but simply sign the attestation. Dr. Jaeger voiced concern similar to Dr. Canada, and stated that over the years he has employed over 50 DCs and knows that they obtain great knowledge from the open-book exam. Dr. Jaeger also agreed with Dr. Lurie, stating that a closed-book scenario is not the goal and believes that the open-book format is teaching and exceptional.

Dr. Lurie made a motion to omit the jurisprudence exam and move to require that the DC sign an attestation that they have read and understand the applicable laws, not only on the initial application, but also on the renewal applications. Dr. Martinez seconded. Dr. Lurie stated that these changes will require updates to NRS and NAC and Mr. Ling confirmed that this will require a statutory amendment, so this change will be added to the board bill. The board voted in favor, with the exception of Dr. Jaeger and Dr. Canada, who were in opposition.

**Agenda Item 13 Discussion and potential action regarding the Chiropractic Assistant program and examinations – For possible action.**

Dr. Canada asked the board what changes they would like to see made to the CA program. Dr. Lurie referred to the proposed language provided by Mr. Ling, which changes the CA program to a registration or certification and changes to an attestation in lieu of the CA exam and law exam, but requires the radiology exam online or in-person. Dr. Lurie explained that there will

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be one certification for CA's who have completed the requisite hours of on-the-job training and a second certification, to include radiology.

– the dc will attest to the completion of radiology then exam

Dr. Lurie made a motion to continue forming a foundation for the CA program that includes either a registration or certification, an attestation in lieu of the law exam, a number of hours to complete the certification or registration based on future board discussions and information and continue with a radiology examination for the CA's that are going to perform radiology. Mr. Augustin seconded. Dr. Canada asked Dr. Lurie what his intention is of the CA exam. Dr. Lurie stated that the CA examination will eventually go away with the exception of the radiology portion. The motion passed with all in favor.

**Agenda Item 14 Discussion and potential action regarding the definition of “manual therapies” that can be performed by a chiropractic assistant – For possible action.**

Dr. Canada stated that the board received this request from a DC. Dr. Lurie asked the board whether the Board is here to define what DC's do and how DC's bill for specific services, because they have to defend those services? Dr. Lurie stated he is not comfortable giving an opinion, since there is not a way to visually see what they are doing and this is getting outside of the board's focus of protecting the public. Mr. Augustin agreed, indicating that the board is not able to confirm the DC's intentions. Mr. Ling confirmed that the board's statute says that a CA cannot perform a chiropractic adjustment and indicated that the board could state that a DC use their best judgement. Dr. Jaeger referred to CPT codes that fall under what a DC can do, and while it appears that this does fall under the scope of a DC, he does not believe it is the boards place to advise what CPT code should be billed. Dr. Canada recommended that the biller/coder work with the necessary insurance company to determine the appropriate billing code.

**Agenda Item 15 Discussion and potential action regarding chiropractic assistants performing prescribed physiotherapy while the chiropractic physician is not present in the clinic – For possible action.**

Dr. Canada stated that she has concern with DC's taking advantage of being out of the office and CA's being in charge. Dr. Jaeger stated that currently he will oppose this concept, however he would like to hear from the board. Dr. Ingles shared concern and stated he would object. Dr. Martinez stated that he is leaning against this. Dr. Lurie stated that this is just an idea to build a foundation for a DC to be out of the office and the board can set a precedence as to what is the best course for public safety. Dr. Lurie stated that he would start to lay the foundation and bring to the next board meeting.

**Agenda Item 16 Discussion and potential action regarding allowing chiropractic assistants the ability to obtain a temporary certificate - For possible action.**

Dr. Lurie stated that allowing a CA the ability to obtain a temporary certificate would be similar to a DC obtaining a temporary license. Due to the shortage of chiropractic assistants this would allow CAs to obtain a temporary certificate for temporary help in a DC's practice.

Dr. Jaeger made a motion that we explore creating a temporary certificate process for chiropractic assistants. Dr. Lurie seconded, and the motion passed with all in favor.

**Agenda Item 17 Discussion and potential action regarding the use of an FDA-approved electric stimulation chair or device for pelvic and bladder support as a noninvasive procedure within a chiropractic office – For possible action.**

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Dr. Lurie stated that he was asked if DCs are allowed to use an electric stimulation chair or device for pelvic and bladder support and directed the board's attention to the documentation provided. Dr. Jaeger stated that these devices fall within the scope of a DC whether in the office or for in-home use.

Dr. Lurie made a motion to allow the use of muscle stimulation after proper diagnosis of a patient for bladder, incontinence, floor stability and stated that these devices fall under physiotherapy equipment for use by a chiropractic physician. Mr. Augustin seconded, and the motion passed with all in favor.

**Agenda Item 18 Discussion and potential action regarding the continuing education courses taken or registered for prior to February 27, 2024 and other related topics – For possible action.**

Dr. Canada turned this agenda item over to Julie Strandberg, who stated that she wanted to provide feedback received since the board received approval to omit PACE approved courses. Currently, the board has not received an application from dry needling providers to allow DCs to obtain this certification and the board has received one course for DCs to fulfill their dry needling continuing education. Julie Strandberg asked the board to consider approving CE courses on a biennial basis and allow for auto-approval for courses submitted by a chiropractic college.

Dr. Jaeger stated that he received derogatory comments from providers since the board is no longer accepting PACE courses. Dr. Lurie stated that he was sorry to hear that, but this falls back on PACE, not doing their due diligence with monitoring the providers to ensure that they are adhering to the guidelines. Dr. Martinez stated that he does not see an issue with providers not submitting CE applications, because the DC can request that the provider submit an application. With regard to auto-approval, Dr. Martinez stated that this is what we are trying to get away from, because we want to review all courses to ensure all requirements are met. Dr. Martinez stated that biennial approval seems logical and there is no compromise.

Dr. Lurie asked if the board would like to go back to accepting PACE or ask that they come before the board to explain what they are doing to ensure providers are in compliance?

Dr. Jaeger stated that he would love to see the board allow PACE approved courses. Dr. Jaeger believes that will move the board into the current and future times and keeps the board moving towards a national communication and unity for licensees to come to this state. Dr. Lurie recommended that the board allow in-person PACE seminars, however providers administering online seminars would have to apply with this state.

Dr. Lurie made a motion to accept PACE approved in-person seminars and online providers would have to submit an application to Nevada for approval. Dr. Martinez seconded, and the motion passed with all in favor.

Dr. Jaeger made a motion to approve CE applications on a biennial basis and auto-approve CCE accredited chiropractic college coursework. Dr. Lurie seconded, and the motion passed with all in favor.

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

**A. NRS 634.018 (9)**

Dr. Lurie made a motion to approve adding marijuana. Mr. Augustin seconded, and the motion passed with all in favor.

**B. NRS 634.020(2)(b)**

Dr. Lurie stated that this has come up in the past when appointments are made to fill the seat, which represents the indigent, uninsured or unable to afford health care. Dr. Lurie stated that everyone fits this category, because at some point the majority of chiropractic physicians have treated patients under these circumstances. This seat has been misused in the past, because if the person appointed has only been in practice for a year or two they do not fit this category. The application to sit on a board does not ask this question, so how is there proof? Dr. Lurie asked how this seat was added. Mr. Ling stated that he recalls this seat being added to all healthcare boards by Maggie Carlton and it may be best to take it out and state that at some point all chiropractic physicians care for these patients.

Dr. Lurie made a motion to strike NRS 634.020(2)(b). Dr. Ingles seconded; Mr. Augustin stated that he will oppose since it appears that no other board has requested to remove this language. Dr. Lurie and Dr. Ingles withdrew their motion. Dr. Lurie asked Mr. Ling if he would like to draft language. Mr. Ling stated that an introductory clause could be added that says, if available, at the time of appointment, one person who works with the indigent, etc.

Dr. Lurie stated that he will go with his original motion, to strike NRS 634.020(2)(b). Dr. Ingles seconded, and the motion passed with all in favor with the exception of Mr. Augustin, who opposed.

**C. NRS 634.070 (1)**

Dr. Lurie discussed the language being out of compliance as it relates to what the DC's are tested on. Mr. Augustin recommended that the language be updated to say, as the board determines to be sufficient and may include the following subjects, and take out without limitation." Dr. Lurie made a motion to revise NRS 634.070(1) to change "must" to "may" and NRS 634.070(2) to change "must" to "may" and strike "without limitation" and include (e) Chapter 629 of NRS, which was not included. Dr. Jaeger seconded, and the motion passed with all in favor.

**D. NRS 634.070 (2)**

The board included the motion as it related to Section 2 under C.

**E. NRS 634.090 (1)(b)**

Mr. Augustin made a motion to approve striking NRS 634.090(1)(b) high school education. Dr. Lurie seconded, and the motion passed with all in favor

**F. NRS 634.100 (2)(b)**

Dr. Jaeger made a motion to strike the passing score on an examination; reexamination and strike subsections 2 and 3 in their entirety. Dr. Lurie seconded, and the motion passed with all in favor.

**G. NRS 634.100 (3)**

The board included the motion as it related to Section 3 under F.

**H. NRS 634.125**

Following discussion no changes will be made.

**I. NRS 634.135**

Mr. Augustin made a motion to amend NRS 634.135 striking those noted, but leave out the revisions proposed including radiologic. Dr. Jaeger seconded, and the motion passed with all in favor.



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**J. NRS 634.137 (1)**

Dr. Lurie recommended that this item be tabled to obtain additional clarification.

**K. NRS 634.227(1)(a)**

Dr. Jaeger made a motion to add certificate to NRS 634.227(1)(a). Dr. Ingles seconded, and the motion passed with all in favor.

**L. NRS 634.227 (3)(a)**

Dr. Jaeger made a motion to add email address, mailing address or fax.

**M. NAC 634.119**

Dr. Lurie made a motion to approve "Certificate defined." Dr. Jaeger seconded, and the motion passed with all in favor. The definition of "direct supervision" was tabled to provide this language.

**N. NAC 634.200**

Mr. Augustin moved to approve NAC 634.200 specifically all strike outs as listed except for radiologic chiropractic assistant and the radiologic additions as suggested. Dr. Jaeger seconded, and the motion passed with all in favor.

**O. NAC 634.305(2)**

Mr. Ling stated that in his current draft the language gets rid of the CA exam and CA law exam, but requires the exam for chiropractic assistants who will be performing radiology. Dr. Lurie made a motion to accept the concepts written in Mr. Ling's draft of the language. Dr. Ingles seconded, and the motion passed with all in favor.

**P. NAC 634.320**

Dr. Lurie stated that this language is outdated, since it does not include online exams. Dr. Lurie made a motion to strike "the" and include "an in-person." Mr. Augustin seconded, and the motion passed with all in favor.

**Q. NAC 634.330**

Dr. Lurie stated that he brought this up to discuss with the exam committee, to determine if there should be a review of the exam and alleged cheating for the board to consider. Dr. Lurie asked Mr. Ling if this language could be omitted and Mr. Ling stated that since the only exam that will be administered would be the radiology exam, this language could be included in that language. Dr. Lurie made a motion to strike NAC 634.330. Mr. Augustin seconded, and the motion passed with all in favor.

**R. NAC 634.339**

Dr. Lurie stated that until a foundation is built this item can be tabled. If the board allows supervision, the preceptor would not be allowed to carry out any adjustments, examinations, changing treatment plans, etc. while the DC is out of the office. Dr. Lurie will include a portion of this with the foundation he will build with the DC being out of the office.

**S. NAC 634.3475(1)f)**

Dr. Lurie recommended adding "legal partner" or something similar. This item was tabled for Mr. Ling to research appropriate language. Mr. Ling will look into similar language used in NRS/NAC, ethics in government law, "domestic partnership."

**T. NAC 634.3475(5)(b)(2)**

Dr. Lurie recommended to add "oral" to ensure the board is covered if necessary. Mr. Ling stated that "sexual intercourse" should cover "oral." Dr. Canada stated that this language will be left as it is currently stated.

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**U. NAC 634.357(2)**

Dr. Lurie brought this up, to discuss how DCs are training their CAs to recognize and respond to emergencies arising in the course of chiropractic procedures as stated in NAC 634.357(2). There is nothing that defines what an emergency is. Dr. Lurie and Dr. Canada recommended that a CA be required to take CPR. Dr. Lurie recommended to add an agenda item to the next meeting to formally look at CPR as a requirement and look at continuing education and to table this item today.

**V. NAC 634.430**

Dr. Jaeger asked that the board consider defining, a “cooling off period” or “reasonable time,” as it relates to a sexual relationship following a doctor – patient relationship. Dr. Canada stated that this item will be tabled.

**Agenda Item 20 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 (Martinez)**

Dr. Martinez was not present, so this item was tabled.

**B. Complaint 21-31S (Lurie)**

Dr. Lurie stated that this case is moving forward and will most likely be a lengthy hearing. An expert was hired to review the information provided and a report is forthcoming. Once the report is received, a formal Notice of Charges will be filed.

**C. Complaint 22-18S (Augustin)**

Mr. Augustin stated that there was concern whether there was chiropractic practice occurring without a license. Mr. Augustin conducted research and obtained additional documentation based on the board’s discussion at its January 11, 2024 meeting. Following review of the documentation and based on the concern the evidence did not confirm that there was any sort of practice without a license. Mr. Augustin stated that there will not be charges brought against the Joint, however a letter of concern is being recommended requiring that the Joint conduct an education course with the staff, confirming what they can and cannot do and receiving confirmation from the Joint that they agree. Dr. Lurie asked to confirm that the complainants’ concerns were addressed. Mr. Augustin stated that he had an in-depth conversation with the complainant and they were satisfied. Dr. Lurie made a motion to dismiss Complaint 22-18S with a letter of instruction. Mr. Ayazi seconded, and the motion passed with all in favor. Mr. Augustin recused himself as the investigating board member.

**D. Complaint 22-19S (Lurie)**

Dr. Lurie stated this complaint is still pending and there is a new investigator at the Nursing board who he had a lengthy conversation with and the case is moving forward.

**E. Complaint 22-21N (Martinez)**

Dr. Martinez was not present, so this item was tabled.

**F. Complaint 22-23N (Martinez)**

Dr. Martinez was not present, so this item was tabled.

**G. Complaint 23-02N (Ingles)**

Dr. Ingles stated that the investigation is complete and a Notice of Charges has been

issued to the DC, who has requested a hearing before his peers. Mr. Ling stated that the hearing will be scheduled for the July 11, 2024 meeting in Reno.

**H. Complaint 23-11S (Ayazi)**

Dr. Canada stated that this is the case against Dr. Casey Robinson, which was heard under agenda item 9.

**I. Complaint 23-12S (Lurie)**

Dr. Lurie stated that this complaint is still pending and there is a new investigator at the Nursing board who he had a lengthy conversation with and the case is moving forward.

**J. Complaint 23-13S (Lurie)**

Dr. Lurie stated that this complaint is still pending and there is a new investigator at the Nursing Board who he had a lengthy conversation with and the case is moving forward.

**K. Complaint 23-15S (Nolle)**

Julie Strandberg reported that the investigation is underway.

**L. Complaint 23-16S (Nolle)**

Julie Strandberg reported that the investigation is underway.

**M. Complaint 23-18S (Jaeger)**

Dr. Jaeger stated that the complainant alleged that the DC mishandled their patient records and stated that their attorney would also support this complaint, however when Dr. Jaeger spoke to the attorney they indicated they would not support the complaint. Dr. Jaeger confirmed with the DC that the records were in their automobile when it was broken into and the DC's briefcase was stolen. Dr. Jaeger stated that he will have another conversation with the complainant.

**N. Complaint 23-19S (Canada)**

Dr. Canada stated that the complainant is the spouse of a patient who found concerning texts between the spouse and the chiropractic physician. Dr. Canada attempted to reach the complainant by telephone and the number is disconnected. A letter has been sent to the address provided by the complainant asking that they contact the board.

**O. Complaint 23-20S (Jaeger)**

Dr. Jaeger stated that this complaint is from the spouse of a patient, alleging that the DC was having sex with their spouse. The investigation is complete and a Settlement Agreement & Order has been executed with the DC admitting to the allegations. The Settlement Agreement & Order will be presented at the next board meeting.

**P. Complaint 23-21S (Canada)**

Dr. Canada stated that the complainant alleged that the DC injured them and has had to see an orthopedic surgeon who suggested physical therapy. Dr. Canada stated that she has made several attempts to reach the complainant and will give them until the next meeting to respond.

**Q. Complaint 23-22S (Canada)**

Dr. Canada stated that the complainant alleged that she received a full body mugging by a DC and has been in continuous pain. The complainant has not been seen by another doctor for the pain they are experiencing. Dr. Canada will obtain additional information to be provided at the next board meeting.

**R. Complaint 23-23S (Lurie)**

Dr. Lurie stated that this case is moving forward and will most likely be a lengthy

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hearing. An expert was hired to review the information provided and a report is forthcoming. Once the report is received, a formal Notice of Charges will be filed.

**S. Complaint 23-24N (Martinez)**

Dr. Martinez was not present, so this item was tabled.

**T. Complaint 23-26S (Canada)**

Dr. Canada stated that the complainant took his son to a clinic following a traffic accident and were refused treatment. The DC indicated that they do not treat traffic accident injuries and referred the individual to another clinic. The complainant was upset, because they would not treat their child. Dr. Canada explained that some chiropractic physicians are not comfortable with children, acute injuries, etc. Dr. Canada recommended that this complaint be dismissed. Dr. Jaeger made a motion to dismiss Complaint 23-26S. Dr. Lurie seconded, and the motion passed with all in favor. Dr. Canada recused herself as the investigating board member.

**U. Complaint 23-27S (Lurie)**

Dr. Lurie stated that this case is moving forward and will most likely be a lengthy hearing. An expert was hired to review the information provided and a report is forthcoming. Once the report is received, a formal Notice of Charges will be filed.

**V. Complaint 23-28S (Canada)**

Dr. Canada stated that the complainant was seen by a DC from November 2022 to March 2023 as a result of a motor vehicle accident and that case was closed. The complainant returned to the same clinic for cash services and following four months of care the complainant is asking for their money back, because they are still in pain. Dr. Canada stated that she reviewed the medical records, which indicated that the patient was not compliant with their treatment under the motor vehicle accident and the care was provided for the cash treatments. Dr. Canada recommended that this case be dismissed. Dr. Jaeger made a motion to dismiss Complaint 23-28S. Dr. Ingles seconded, and the motion passed with all in favor. Dr. Canada recused herself as the investigating board member.

**W. Complaint 23-31S (Ingles)**

Dr. Ingles stated that this case was discussed at the boards January 2024 meeting and is against a DC who is currently in arrears on their child support. Additional documentation has been received from the complainant that confirms he is approximately \$5,000 in arrears, however as discussed previously, without a court order the board cannot take action. The complainant stated that they had a court date set for April 10, 2024, however they have not shared any information as a result of this. Dr. Ingles stated that it was confirmed that the DC was not truthful on his reinstatement application submitted on January 20, 2023 since he indicated that he was in compliance with his court ordered child support. A Settlement Agreement was issued to the DC, who then requested a hearing, which will be scheduled for the October 10, 2024 meeting.

**X. Complaint 24-01S (Canada)**

Dr. Canada stated that the DC is advertising on Facebook, that with a specific technique they can cure or reverse MS and other auto-immune disorders. Dr. Canada recommended a letter of concern and a fine. Mr. Ling stated that this be discussed further.

**Y. Complaint 24-02S (Canada)**

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Dr. Canada stated that the patient alleged that they were injured. Dr. Canada stated that she reviewed records/MRI's that confirm the complainant required surgery to fix a ruptured disc, L2 and L3. Dr. Canada is having trouble communicating with the complainant, so hopefully she will be able to talk to the complainant to provide more information at the next board meeting.

**Z. Complaint 24-03S (Ingles)**

Dr. Ingles stated that the complainant accompanied her daughter to an appointment for neuropathy and was sold a program in the amount of \$10,000.00. The patient alleged that they were not treated by the DC, but a CA. Dr. Ingles stated that the records were complete and recommended that the patient reach out to the DC to attempt to resolve.

**AA. Complaint 24-04S (Jaeger)**

Dr. Jaeger stated that the complainant alleged that home durable medical equipment was prescribed without the patients consenting to or requesting the product. Dr. Jaeger spoke to the complainant, but needs to speak to the chiropractic group. This investigation is on-going.

**BB. Complaint 24-05S (Lurie)**

Dr. Lurie stated that he was just assigned this case and will reach out to the complainant tomorrow.

**Agenda Item 21 FCLB/NBCE Matters – For possible action.**

Dr. Canada stated that the annual FCLB conference will be held May 1-5, 2024 in Phoenix, AZ.

**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. Lurie) – For possible action.**

Dr. Lurie stated that there is a lot of work with the changes being made and wanted to iterate what an embarrassment it was when he appeared before the Legislative Committee to discuss the regulation revisions.

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

Dr. Ingles stated that there have been two preceptor applications submitted and approved.

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

Dr. Canada stated that she had nothing further to report.

**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. Approved Regulations Update – No action.**

Julie Strandberg gave an overview of the executive director's reports. Dr. Lurie inquired about the fines being paid by Dr. Raines and asked if there is any way to request that he increase his payment. Mr. Ling asked Julie Strandberg to reach out to Dr. Raines and ask him if he is able to increase his monthly payment.

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**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. Budget to Actual at February 29, 2024 – No action.**
- F. Income/Expense Actual to Budget Comparison as of February 29, 2024 – No action.**

Julie Strandberg gave an overview of the financial reports. Dr. Lurie asked what the board's policy is with respect to a zero balance for sick and annual leave. Julie Strandberg stated that the employee does not receive pay in this case.

**Agenda Item 25 Discussion and potential action regarding policies in accordance with the revisions to regulations – For possible action.**

- A. Policy 32 Continuing Education for Board Meeting Attendance**
- B. Policy 33 Regular Meetings**

Following discussion Dr. Lurie recommended that this agenda item be tabled.

**Agenda Item 26 Discussion and potential action regarding the amendment to the contract with Numbers, Inc. and The Advantage Group – For possible action.**

Dr. Jaeger made a motion to approve the contract with Numbers, Inc. and the Advantage Group. Mr. Augustin seconded, and the motion passed with all in favor.

**Agenda Item 27 Discussion and potential action regarding the Board office security system – For possible action.**

Julie Strandberg stated that Vivint alarm system was installed in 2017 and it has since failed and they quoted that Dr. Lurie stated that with all the files that contain confidential information it is important to have security until the documents are scanned. Dr. Canada recommended that quotes from security companies be provided at the next board meeting.

**Agenda Item 28 Board Member Comments – No action.**

Dr. Lurie shared a recent incident that occurred in Las Vegas regarding an attorney being shot during a deposition and inquired about moving the board meetings back into a state building or hiring security when hearings or regular board meetings are held. Dr. Canada asked Julie Strandberg to look into hiring security for board meetings going forward.

Mr. Augustin stated that attorneys have reached out to him indicating that chiropractic physicians are not familiar with the patient records cap and asked that the board educate the licensees of this information. Julie Strandberg stated that a constant contact will be sent to the licensees notifying them of SB283.

**Agenda Item 29 Public Interest Comments – No action.**


There were no public comments.

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**Agenda Item 30 Adjournment – For possible action.**

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

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Jason O. Jaeger, DC  
Secretary-Treasurer