Joe Lombardo Governor

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



Xavier Martinez, DC Member AdamL. 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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A meeting of the Chiropractic Physicians' Board was held on Thursday, January 11, 2024 by zoom conference.

The following Board members were present at roll call:

Nicole Canada, DC, President Xavier Martinez, DC, Vice President Benjamin S. Lurie, DC, Board Member Jason O. Jaeger, 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.

Dr. Lurie 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 interest comments.

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

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

### <u>Agenda Item 3</u> Approval of the November 2, 2023 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.

Mr. Musgrove, on behalf of Strategies 360, was present and shared that Ben Kieckhefer resigned from the Governor's Chief of Staff and Ryan Cherry has been appointed.

Mr. Musgrove shared changes that have taken place at the legislature and stated that the interim subcommittees have been named

Reza R. Ayazi, Esq., Consumer Member, joined the meeting.

#### <u>Agenda Item 5</u> Discussion and potential action regarding the Application for DC license for Marc Van Driessche, 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 Mr. Van Driessche)

Dr. Canada welcomed Dr. Van Driessche. Dr. Canada asked Dr. Van Driessche to discuss the discrepancies on his application. Dr. Van Driessche stated that he did not intend to mislead the Board and has never had trouble with the law. Dr. Van Driessche shared that he and his son got into a disagreement about his son cleaning his room and the police were called. In the State of Washington, when the police are called to address alleged domestic violence someone must be arrested, so he took the responsibility rather than his 18-year-old son being arrested. His son issued a letter to the State of Washington indicating that the disagreement did not involve domestic violence.

Mr. Augustin moved to approve the application. Dr. Canada seconded, for discussion.

Dr. Jaeger stated that based on previous circumstances of this nature, he cannot vote in favor. Mr. Augustin withdrew his motion and Dr. Canada withdrew her second.

Dr. Jaeger moved to deny Dr. Van Driessche's application and stated that he may reapply. Dr. Lurie seconded, and the motion passed with all in favor.

#### <u>Agenda Item 6</u> Discussion and potential action regarding the reinstatement for DC license for Julio Olivares – 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 Mr. Olivares).

Dr. Canada welcomed Dr. Olivares. Dr. Jaeger moved to go into closed session. Dr. Martinez seconded, and the motion passed with all in favor. Dr. Canada asked Dr. Olivares to address the Board to provide pertinent information regarding his case in Oregon. Dr. Olivares provided the Board with the necessary information. Dr. Canada opened up questioning from the Board.

Dr. Jaeger moved to go back to open session. Dr. Lurie seconded, and the motion passed with all in favor.

Mr. Augustin moved to deny Dr. Olivares' application. Dr. Lurie seconded, and the motion passed with all in favor.

# <u>Agenda Item 7</u> 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 turned the agenda item over to Dr. Martinez. Dr. Martinez asked that Julie Strandberg summarize that status of Dr. Milman's practice monitoring, which was provided. Dr. Milman requested that he be dismissed from the practice monitor. Dr. Martinez recommended that the practice monitor remain in place. Dr. Jaeger moved to deny that Dr. Milman be dismissed from practice monitoring. Mr. Ayazi seconded, and the motion passed with all in favor. Dr. Martinez recused himself as the investigating board member.

<u>Agenda Item 8</u> Hearing and deliberation in the Matter of Casey Robinson, DC, License No. B01263, Complaint No. 23-118 – 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.)

Ms. Harris swore in Julie Strandberg. Mr. Ling asked questions of Julie Strandberg and during the questioning it was determined that a document issued to Dr. Robinson provided insufficient information, so this agenda item was tabled.

<u>Agenda Item 9</u> PUBLIC HEARINGS: Public workshop to consider amendments to Nevada Administrative Code 634. – For possible action.

#### A. R114-23 Revisions to NAC 634 pursuant to Executive Order 2023-003.

Dr. Canada asked for public comment and there was none.

Dr. Jaeger made a motion to adopt the language as drafted in R114-23. Dr. Martinez seconded, and the motion passed with all in favor.

#### B. R115-23 Board proposed revisions to NAC 634.

Dr. Canada asked for public comment and there was none.

Dr. Jaeger made a motion to adopt the language as drafted in R115-23. Dr. Martinez seconded, and the motion passed with all in favor.

#### Agenda Item 10 NCA/NCC Report – No action

There was nobody from the NCA or the NCC present to report.

## <u>Agenda Item 11</u> Discussion and potential action regarding the current DC jurisprudence examination and potentially turning the administration of the DC jurisprudence examination over to the NBCE. – For possible action.

Dr. Canada shared that she feels that it is appropriate for the jurisprudence exam to be turned over to the NBCE. Dr. Jaeger reminded the Board that he brought this agenda item before the Board prior to serving on this body, so he will recuse himself from commenting for or against moving the exam to the NBCE, however is available for questions. Dr. Lurie reiterated that the Board continues to make motions and move things forward without determining the ultimate goal, which causes confusion to the public and to the chiropractic community. Dr. Lurie recommended that the Board form a committee to build a clear foundation of what the Boards goals are, and then make a decision. Dr. Lurie stated that a number of states do not offer a jurisprudence examination. Dr. Jaeger shared that there are 33 states that require the jurisprudence examination.

Dr. Martinez and Mr. Augustin agreed with Dr. Lurie stating that the Board decide what direction to go and then make changes.

Mr. Ling reminded the Board that the regulation requires an exam, so the regulation would need to be changed first.

Dr. Lurie moved to table this agenda item. Mr. Augustin seconded, and the motion passed with all in favor. Dr. Jaeger abstained.

#### <u>Agenda Item 12</u> Discussion and potential action regarding questions on the Self-Inspection Form and the License Renewal Form – For possible action.

Dr. Lurie stated that he reviewed and made changes to the self-inspection form based on previous Board conversation to utilize the self-inspection only if a DC or CA has a complaint

filed against them. Dr. Lurie also reviewed the renewal questions and added questions from the self-inspection to the DC renewal application. Mr. Augustin recommended that the attestation be worded differently. Dr. Lurie stated that he is open to any wording changes from a legal standpoint. Mr. Augustin agreed to review the questions and attestations and provide his revisions.

Dr. Lurie moved to approve the changes as noted, with the addition of Mr. Augustin's revisions to the questions and attestations. Dr. Jaeger seconded, and the motion passed with all in favor.

#### <u>Agenda Item 13</u> Discussion and potential action regarding issues related to multijurisdictional practices. – For possible action.

Dr. Lurie stated that this discussion is primarily for informational purposes and asked whether a DC who owns a Physical Therapy (PT) practice is required to register the entity with the Chiropractic Physicians' Board and asked if they are required to follow the advertisement rules and regulations outlined in Chapter 634.

Mr. Ling stated that NRS 634.136 speaks to obtaining registration as a business entity that provides chiropractic services, and as described by Dr. Lurie, where the only services provided are physical therapy, this statute is not applicable. Mr. Ling also stated that in Dr. Lurie's scenario, the question would be whether the Physical Therapy Board has rules and/or regulations that require Physical Therapist's to own all or some portion of the Physical Therapy practice. From this boards standpoint there are no rules or regulations that would prohibit a DC from owning a Physical Therapy practice. Dr. Lurie then asked, if a DC owns a practice and the staff is registered with the Physical Therapy Board or any other licensing Board, is the DC allowed to direct those licensees to perform work? Mr. Ling stated no, the DC does not have the authority to direct an individual licensed by another Board, however they can refer the patient to those licensed individuals to treat that patient and are bound by their rules and regulations. A DC is only allowed to direct a chiropractic assistant. Dr. Lurie stated that the concern is a DC running a Physical Therapy practice and directing individuals licensed/registered with the Physical Therapy Board. Dr. Lurie stated that he does not know how a DC can advertise Physical Therapy, this Board has always said they cannot, however they say that they can, because they have PT's working in the clinic.

# <u>Agenda Item 14</u> Discussion and potential action regarding adding an attestation to the chiropractic physicians' renewal form to require that they attest to downloading or reviewing the currently available versions of NRS 634, NAC 634 and NAC 634. – For possible action.

Dr. Lurie stated that this was discussed under agenda item 12.

## <u>Agenda Item 15</u> Discussion and potential action regarding Board staff to provide the currently available versions of NRS 634, NAC 634 and NRS 629 to the chiropractic physicians. – For possible action.

Dr. Lurie recommended that Board staff provide NRS and NAC to DCs and CAs with renewals to ensure that they are familiar with the rules and regulations. Julie Strandberg stated that the link to NRS and NAC could be sent to the DCs and CAs via constant contact through the newsletter, during renewals and during the year when changes are made.

Dr. Lurie moved to approve that the Executive Director push the rules and regulations out to new licensees, to DCs and CAs during renewals and any changes mid-year. Dr. Ingles

seconded, and the motion passed with all in favor.

## <u>Agenda Item 16</u> Discussion and potential action regarding chiropractic assistants performing prescribed physiotherapy while the chiropractic physician is not present in the clinic. – For possible action.

Dr. Lurie asked the Board their thoughts on CA's performing duties while the DC is out of the office. Dr. Lurie stated that chiropractic physicians cannot take vacations due to the lack of vacation relief doctors and are unable to find a way to manage patients, so they can get out of the office and rest their minds. Since we are changing the CA program he wanted to get the board's opinion to continue care outlined by the DC.

Dr. Lurie recommended that the Board develop a committee to identify potential modalities that can be performed on a patient when the DC is out of the office, but are available by phone. Dr. Canada recommended that a power poll be requested from the FCLB. Dr. Lurie stated that he was interested in the opinions of this Board. Dr. Ingles stated that his concern is that it would be taken advantage of. Dr. Lurie stated that framework can be set up to avoid some of those things. Mr. Augustin echoed Dr. Ingles concerns. Dr. Jaeger shared that he can appreciate many perspectives on this topic, because there is a shortage of providers. Dr. Martinez stated that he does not recall when a CA injured a patient, so he doesn't see an issue related to public safety.

Dr. Lurie stated that he will start the framework to discuss further.

## <u>Agenda Item 17</u> – Discussion and potential action regarding a chiropractic clinic supplying and administering Narcan/Naloxone in the event of an accidental overdose. – For possible action.

Dr. Lurie asked Mr. Ling to weigh in on whether chiropractic practices are able to supply and administer Narcan.

Dr. Lurie moved that Mr. Ling conduct research from a legal standpoint of a chiropractic practice supplying and administering of the over-the-counter medication, Narcan to an individual by a chiropractic physician or a chiropractic assistant. Mr. Ling stated that he will research and bring the information back to the next Board meeting.

### <u>Agenda Item 18</u> - Discussion and potential action regarding the Chiropractic Assistant program – For possible action.

Dr. Canada asked if the Board felt that the CA program should move to a registration versus a certification and Dr. Lurie stated that his preference is to move to a registration.

Dr. Jaeger shared that this dovetails on the conversation regarding the CA performing duties while the DC is out of the office and determining which direction the Board wants to go. Dr. Jaeger reminded the Board that the CA's received an exemption from being required to complete two years of radiology training since the Board required the x-ray exam.

Dr. Lurie stated that he initially answered the direct question, but agreed with Dr. Jaeger. Dr. Lurie stated that the Board needs to build a foundation on a registration and referred to the rules and regulations around the CA program in Arizona. Dr. Lurie would like to move forward with a registration process, understanding that there will be a need for a dual registration to provide an additional certification or licensure for the chiropractic assistants who will perform xrays on patients. Dr. Lurie recommended that the CA not take an exam unless they will be performing x-rays to comply with SB130. The current CAs would be grandfathered in and be exempt from any new rules and regulations. Dr. Lurie stated that the Board currently utilizes the ACRRT reference guide and asked whether the NBCE recommends another reference guide? Dr. Jaeger stated that there is evidence that discusses radiology protection being obsolete and stated that there is not much direction from the NBCE. Dr. Lurie asked whether there are a number of questions that the NBCE sees as being valid toward certification? Dr. Jaeger stated that he will reach out to the NBCE and provide their response.

Mr. Ling stated that he will prepare language for the next Board meeting.

<u>Agenda Item 19</u> 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 stated that this complaint is still under investigation.
- **B.** Complaint 21-31S (Lurie) Dr. Lurie stated that Mr. Ling has provided him with a revised Notice of Charges and this complaint will be set for hearing in the future.
- C. Complaint 22-18S (Augustin) Mr. Augustin stated that this case was reassigned from Dr. Overland and he is continuing with the investigation.
- D. Complaint 22-19S (Lurie)

Dr. Lurie stated that this complaint has completely stalled by the investigation being conducted by the investigator for the Nevada State Board of Nursing. Dr. Lurie stated that for the most part, he has completed this investigation, however he is at the mercy of the Nursing Board who, in his opinion is not following their obligation to the State of Nevada. Dr. Lurie stated that the investigation for this complaint is ongoing.

#### E. Complaint 22-208 (Canada)

Dr. Canada stated that the complainant alleged that the DC assaulted them, however they did not seek any other medical attention. The practice has an open bay adjusting area and there was another DC in the same area who stated that the complainant did not make mention of this incident at the time of the alleged incident. Dr. Canada stated that the DC has not had any other complaints and recommended that this complaint be dismissed. Dr. Jaeger moved to dismiss Complaint 22-20S. Dr. Lurie seconded, and the motion passed with all in favor. Dr. Canada recused herself as the investigating board member.

#### F. Complaint 22-21N (Martinez)

Dr. Martinez stated that this is an alleged scope of practice violation and the DC has hired counsel. Mr. Ling stated that he was contacted by the attorney who indicated that he will be providing the documentation.

**G.** Complaint 22-23N (Martinez) Dr. Martinez stated that this complaint is against the same DC discussed in Complaint 22-21N

#### H. Complaint 23-02N (Ingles)

Dr. Ingles stated that he took this case over from Dr. Overland. Records have been requested and provided by the DC. Upon receipt an additional request for records was requested, so this complaint is still under investigation.

#### I. Complaint 23-10S (Jaeger)

Dr. Jaeger stated that this complaint was filed by an adult patient's parents who are

licensed medical providers in Nevada and alleged patient abandonment. Based on the investigation, Dr. Jaeger recommended that this case be dismissed. Dr. Lurie moved to dismiss Complaint 23-10S. Dr. Martinez seconded, and the motion passed with all in favor. Dr. Jaeger recused himself as the investigating board member.

#### J. Complaint 23-11S (Ayazi)

Mr. Ling stated that this matter was discussed under agenda item 8 and will be heard at the next Board meeting.

#### K. Complaint 23-12S (Lurie)

Dr. Lurie stated that this is a record keeping complaint filed in accordance with complaint 22-19S. Dr. Lurie stated that this complaint has completely stalled by the investigation being conducted by the investigator for the Nevada State Board of Nursing. Dr. Lurie stated that for the most part, he has completed this investigation, however he is at the mercy of the Nursing Board who, in his opinion is not following their obligation to the State of Nevada. Dr. Lurie stated that the investigation is ongoing.

#### L. Complaint 23-13S (Lurie)

Dr. Lurie stated that this is a record keeping complaint filed in accordance with complaint 22-19S. Dr. Lurie stated that this complaint has completely stalled by the investigation being conducted by the investigator for the Nevada State Board of Nursing. Dr. Lurie stated that for the most part, he has completed this investigation, however he is at the mercy of the Nursing Board who, in his opinion is not following their obligation to the State of Nevada. Dr. Lurie stated that the investigation is ongoing.

M. Complaint 23-15S (Nolle)

Julie Strandberg stated that this complaint is still under investigation.

N. Complaint 23-16S (Nolle)

Julie Strandberg stated that this complaint is still under investigation.

O. Complaint 23-18S (Jaeger)

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

#### P. Complaint 23-198 (Canada)

Dr. Canada stated that the complainant alleged sexual misconduct and is under investigation.

#### Q. Complaint 23-20S (Jaeger)

Dr. Jaeger stated that the complainant alleged sexual misconduct. Dr. Jaeger has interviewed the patient and the DC and the DC admitted to the relationship. Dr. Jaeger is working with Mr. Ling to prepare a Settlement Agreement.

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R. Complaint 23-218 (Canada)
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Dr. Canada stated that this complaint is still under investigation.

S. Complaint 23-22S (Canada)

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

#### T. Complaint 23-23S (Lurie)

Dr. Lurie stated that this complaint is within the same bounds as 21-31S. This case will be going to hearing and suggested holding a separate meeting to conduct the hearing.

#### U. Complaint 23-24N (Martinez)

Dr. Martinez stated that the complainant alleged unprofessional conduct. Dr. Martinez

spoke to the complainant who indicated that they did not have any previous chiropractic experience and admits that they were not aware of how hands on the treatment would be. Dr. Martinez spoke to the DC and did not find any overtly intentional actions by the DC, however does feel that the DC could do a better job of explaining the treatment. Dr. Martinez recommended that the DC complete four hours of ethics and boundaries in addition to the 36 hours required for license renewal and recommended that the complaint be dismissed. Dr. Martinez will work with Mr. Ling to address.

#### V. Complaint 23-25N (Lurie)

Dr. Lurie stated that he interviewed the complainant and the DC. The complainant was looking for a specific technique, however the DC was not able to provide the technique. Dr. Lurie reviewed the patient records and did not find anything of concern. Dr. Lurie recommended that this case be dismissed. Dr. Martinez moved to dismiss Complaint 23-25N. Mr. Augustin seconded, and the motion passed with all in favor. Dr. Lurie recused himself as the investigating board member.

#### W. Complaint 23-26S (Canada)

Dr. Canada stated that this complaint is still under investigation and she will have additional information at the next Board meeting.

#### X. Complaint 23-27S (Lurie)

Dr. Lurie stated that this complaint is within the same bounds as 21-31S and will be going to a hearing.

#### Y. Complaint 23-28S (Canada)

Dr. Canada stated that this complaint is still under investigation and she will have additional information at the next Board meeting.

#### Z. Complaint 23-298 (Ingles)

Dr. Ingles stated that an attorney filed a complaint against the DC for failure to provide records in a timely manner. Dr. Ingles confirmed that the attorney has since received the records and recommended that this case be dismissed with a letter of instruction regarding releasing records. Dr. Lurie moved to dismiss Complaint 23-29S with a letter of instruction. Mr. Augustin seconded and the motion passed with all in favor. Dr. Ingles recused himself as the investigating board member.

#### AA. Complaint 23-31S (Ingles)

Dr. Ingles stated that the complainant alleged that the DC is in arrears with their child support order. Dr. Ingles spoke to the DC who indicated that they would make a payment and confirmation of the payment was received on January 10, 2024. Dr. Ingles stated that since the law requires that the Board receive a court order prior to the Board taking action, he recommended that the case remain open and monitored. Mr. Augustin recommended that this case be dismissed until the complainant comes forward with an order from the Court. Mr. Ling stated that the Board would need a Court Order, ordering the Board to take specific action. Dr. Martinez recommended that Julie Strandberg confirm how the DC answered the child support question on his renewal application and report to the next Board meeting.

#### Agenda Item 20 Board Counsel Report – No action

Mr. Ling stated that he had nothing to report.

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

- Reassign Selection of Board's choice for FCLB Voting Delegate at the 97<sup>th</sup> Annual Educational Congress, May 1-5, 2024 – Phoenix, AZ
   Dr. Canada stated that she would be interested in being the voting delegate. Dr. Jaeger expressed interest in being the alternate delegate. Dr. Lurie moved to approve. Mr. Ayazi seconded, and the motion passed with all in favor.
- B. Reassign Board Member to participate in the Fall National Board Part IV Exam - November 9-10, 2024
   Dr. Canada will be attending, however there were no other Board members available to attend.
- C. **Other FCLB/NBCE matters.** There were no other matters discussed.

### <u>Agenda Item 22</u> Consideration of potential additions, deletions, and/or amendments to NRS 634 and NAC 634– For possible action.

A. NRS 634.090 (1)(b)

Julie Strandberg stated that it is being recommended to omit NRS 634.090 (1)(b) in the next Board bill. Dr. Lurie moved to approve as struck. Mr. Augustin seconded, and the motion passed with all in favor.

#### B. NRS 634.100 (2)(b)

Julie Strandberg stated that this is in accordance with the examination discussion. This revision requests to change the DC jurisprudence online passing score from 90% to 75%. Dr. Lurie moved to approve as struck. Mr. Augustin seconded, and the motion passed with all in favor.

#### Agenda Item 23 Committee Reports

- **A.** Continuing Education Committee (Dr. Martinez) For possible action. Dr. Martinez stated that he had nothing to report.
- **B.** Legislative Committee (To be Re-assigned) For possible action. Julie Strandberg stated that there was nothing further to report.
- **C.** Preceptorship Committee (Dr. Canada) For possible action. Dr. Canada stated that there have been a few preceptor applications submitted.
- **D.** Test Committee (Dr. Canada) For possible action. Dr. Canada stated that she had nothing further to report.

#### Agenda Item 24 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's reports.

#### Agenda Item 25 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 30, 2023 No action.
- F. Budget to Actual at November 30, 2023 No action.

#### G. 2023 Board Audit – For possible action.

Julie Strandberg gave an overview of the financial reports and asked if there were in questions with respect to the 2023 Board audit. Dr. Lurie noted that the 2023 Board Audit was not on the action sheet in the Board packet, however Mr. Augustin confirmed that it was on the agenda. Mr. Ling stated that the agenda is the notice of record as it relates to the open meeting law. Dr. Lurie moved to approve the 2023 Board Audit based on the legal recommendation that the posting of this agenda item does not violate the open meeting law. Mr. Ayazi seconded, and the motion passed with all in favor.

#### Agenda Item 26 Election of Officers – For possible action

Dr. Martinez and Dr. Canada expressed their interest in running for President. A vote was taken and Dr. Canada was nominated with a 6 to 1 vote.

Dr. Lurie nominated himself for Vice President and was unanimously voted in.

Dr. Jaeger nominated himself for Secretary-Treasurer and was unanimously voted in.

#### Agenda Item 27 Reassignment of Committees – For possible action.

Dr. Canada asked who was interested in taking on the committees. Dr. Martinez stated that he will continue handling the Continuing Education committee. Dr. Lurie stated that he is interested in the Legislative Committee. Dr. Ingles stated that he is interested in the Preceptor Committee. Dr. Canada stated that she will continue handling the Test Committee.

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

Dr. Canada asked if there were any Board members who had comments. Dr. Lurie expressed concern with the number of outstanding complaints and stated that the Board owes the public a duty to investigate in a timely fashion. Dr. Lurie encouraged the Board to request assistance if needed, to move through the process quicker.

Dr. Jaeger reported that the NBCE can administer an open-book exam and regarding the x-ray exam, a sound exam would have 50 questions. Dr. Jaeger congratulated Dr. Ingles on his appointment to the Board and shared that it was a tough decision for him when voting for the President, because Dr. Martinez is an amazing Board Member and appreciates his input. Mr. Augustin shared his respect for Dr. Martinez, and the work he has done.

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

There were no public comments.

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

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

April 11, 2024

Jason O. Jaeger, DCPC Jason O. Jaeger

Secretary-Treasurer