

Brian Sandoval, Governor



Maggie Tracey, O.M.D., President  
Vince Link, O.M.D, Vice President  
Lisa Mathews, O.M.D., Secretary/Treasurer  
Fely Quitevis, Member  
Abraham Jim Nagy, MD, Member  
Merle Lok, Executive Director

**STATE OF NEVADA  
BOARD OF ORIENTAL MEDICINE**

**\*\*\*PUBLIC NOTICE\*\*\*  
REGULAR BOARD MEETING  
February 27, 2017 @ 6:30 PM**

AT THE FOLLOWING LOCATION:

Grant Sawyer Building, Office of the Attorney General, 555 East Washington Ave., Room #4500 - Las Vegas, NV 89101.

**\*\*\*MINUTES\*\*\***

**1. CALL TO ORDER (Discussion/For Possible Action) Maggie Tracey, OMD, President**

Roll call to determine presence of a quorum, at 6:30 pm

Board Members Present:

- Dr. Maggie Tracey, OMD
- Dr. Vince Link, OMD
- Dr. Lisa Mathews, OMD
- Dr. Abraham Jim Nagy, MD (via telephone)

Board Staff:

Merle Lok, Executive Director

Public:

*In person:*

- Rachel Kohl
- Susie Rosenberger
- Joel Rios
- Jennifer Nash
- Rebecca Cheema
- Daniel Davies
- Dan Musgrove (via telephone)

**2. Public Comment**

Rachel Kohl stated she is requesting that a replacement exam should be an Agenda item at a future meeting and submitted a letter.

**3. Adoption of agenda (For Possible Action)**

Motion: Dr. Link

Second: Dr. Mathews

Action: Motion carried unanimously

Item # 4

- 4. Approve or disapprove the previous board meeting minutes of January 23, 2017 (For Possible Action).**  
Motion: Dr. Link  
Second: Dr. Mathews  
Action: Motion carried unanimously
- 5. Approve or disapprove of Joel Rios as an OMD licensee in Nevada as he has passed his licensing exam (For Possible Action.)**  
Motion: Dr. Link  
Second: Dr. Mathews  
Action: Motion carried unanimously
- 6. Approve or disapprove of Katie Gaffney to take the Nevada licensing exam in June 2017 (For Possible Action).**  
Motion: Dr. Mathews  
Second: Dr. Link  
Action: Motion carried unanimously
- 7. Approve or disapprove of withdrawing the proposed regulation R072-14 pursuant to the recommendations of the Sunset Committee (For Possible Action).**  
Motion: Dr. Mathews  
Second: Dr. Link  
Action: Motion carried unanimously
- 8. Approve or disapprove of Maureen Lamerdin's CEU titled Close to the Bone: Acupuncture Treatments for Neck and Low Back Pain for 16 credits sponsored by Lotus Institute of Integrative Medicine taken on 12/29-12/30/2016 online (For Possible Action).**  
Motion: Dr. Mathews  
Second: Dr. Link  
Action: Motion carried unanimously
- 9. Approve or disapprove of Kristie Jones's CEU titled Top 10 Master Tung's Dao Ma Points for 2 credits sponsored by Lotus Institute of Integrative Medicine taken on 1/16/16 online and Pulsynergy Made Easy, Part 1 for 8 credits sponsored by Lotus Institute of Integrative Medicine taken on 6/12/16 online (For Possible Action).**  
Motion: Dr. Mathews  
Second: Dr. Link  
Action: Motion carried unanimously
- 10. Discussion re: BDR 54-229 (For Discussion Purposes Only).**  
Dr. Tracey stated that the AG was to discuss this item today but he is not here. The Governor could issue an executive order to expedite licensing and could bypass the state exam. Dan Musgrove stated that it is also known as SB 69 and it was heard today. This item will be tabled for the next date for AG to discuss.

**11. Discussion regarding Wongu's payment of the \$5000 curriculum fee in 2013 (For discussion only).**

ED stated that the bank was able to locate the \$5000 payment and the issue about the 2013 curriculum fee should be closed.

**12. Approve or disapprove of extending Wongu's deadline for 2017 to submit its curriculum and/or other documentation for review by the Board (For Possible Action).**

Daniel Davies stated that Wongu's documents are ready but that the \$5000 curriculum fee seems high and the post-secondary education commission waived its fee requirements. Dr. Tracey stated that the \$5000 curriculum fee is required by the NAC. Dr. Tracey stated that this item will be tabled for the AG to be present.

**13. Approve or disapprove of the School Curriculum Approval Form (For Possible Action).**

Motion: Dr. Mathews

Second: Dr. Link

Action: Motion carried unanimously

**14. Approve or disapprove of hiring a lobbyist regarding dry needling issues in the legislature (For Possible Action).**

Dr. Tracey stated that the lobbyist also would be representing the Board on other oriental medicine issues in the legislature.

Motion: Dr. Mathews

Second: Dr. Link

Action: Motion carried unanimously

**15. Approve or disapprove of establishing an Acupuncture Committee (For Possible Action).**

Dr. Tracey stated that according to Bret Meich's letter, the Board cannot delegate work to others so this item will be tabled for the AG to be present.

**16. Update of the legislative actions (For discussion purposes only).**

Dr. Tracey stated that she has no updates but the physical therapy bill will be heard tomorrow. She has not seen the Sunset Committee recommendations yet.

**17. Approve or disapprove of board meeting dates for the third Monday in April, May, July, and October 2017 (For Possible Action).**

Motion: Dr. Mathews that the board meetings will be on the second Mondays in April, May, July and October 2017, but is subject to change and there may be additional meetings if necessary.

Second: Dr. Link

Action: Motion carried unanimously

**18. Public Comment (Discussion Only).**

Daniel Davies stated that 2 proclamations have been made for Acupuncture Day in Henderson and Las Vegas. He is working towards Acupuncture Day on a state level.

Dr. Tracey added that there was an Acupuncture Day about 4 years ago in the legislature.

Rachel Kohl asked about the process to get an independent review of the exam.

**19. Adjournment (For Possible Action).**

Motion: Dr. Link

Second: Dr. Mathews

Action: Motion carried unanimously

Meeting Minutes will be approved at a future Board Meeting.

# Dan Musgrove Advocacy Inc

## **ADVOCACY SERVICES ON BEHALF OF THE BOARD OF ORIENTAL MEDICINE:**

Dan Musgrove Advocacy Inc. (hereinafter referred to as Dan) provides advocacy and consulting services at all levels of government in Nevada. Dan manages clients' government affairs, public policy initiatives, and lobbying before local and state governmental entities, regulatory bodies, state agencies and the Nevada State Legislature.

Dan helps clients develop and execute strategic local and state government affairs advocacy initiatives that are consistent with the clients' long-term business goals. In the 30 plus years that Dan has worked to build his government affairs advocacy skill set, he would bring the following principles to bear upon behalf of the Board of Oriental Medicine: the thoughtful evaluation of the needs of the Board; a seasoned expert's design of strategies to accomplish those needs on whatever level of government that it may be required – be it with state regulators and staff, state legislators or with the executive branch of State Government. Those strategies of advocacy encompass working with those staff and elected officials, as well as interest groups and allies for grassroots support. That advocacy is put forth in an effective and coordinated manner.

## **BACKGROUND ON DAN MUSGROVE ADVOCACY:**

Dan Musgrove, the President and CEO of Dan Musgrove Advocacy has over 30 years' experience in the fields of communications, labor relations, and government affairs advocacy, in both the private and public sector. Dan has successfully negotiated labor contracts, developed and executed communication strategies, and successfully delivered on major legislative and government relation's advocacy strategies on a city, county, state, and federal level.

Prior to forming Dan Musgrove Advocacy in 2010, Dan was a Vice President of Government Affairs for the McDonald Carano Wilson Government Affairs Group for three years. His client list included NAIOP of Southern Nevada, the Nevada League of Cities, and Edison Energy. Dan also served as the chief legislative advocate for Clark County, Nevada, the University Medical Center of Southern Nevada, the University of Nevada Las Vegas, and as a principal lobbyist for the City of Las Vegas. Since leaving local government to enter the private sector, Dan has lobbied on behalf of the Valley Health System of Hospitals since 2007 (a subsidiary of Universal Health Services); on behalf of Amerigroup of Nevada (a subsidiary of Anthem) that provides Medicaid Managed Care services for the State of Nevada since 2008; the City of North Las Vegas, and the Southern Nevada Health District. Other clients have included Intermedix, LegalZoom, the Barrett-Jackson Collector Car Auction Company, and the Subcontractors Legislative Coalition.

Dan is a native Nevadan, born in Reno and a resident of Las Vegas since 1971 and is a graduate of the University of Nevada-Las Vegas with a degree in Communications. Dan also serves as the Chairman of the Clark County Children's Mental Health Consortium. The Consortium was also created by the State Legislature to study the mental health needs of all children in Clark County and to develop recommendations for service delivery reform.

# Dan Musgrove Advocacy Inc

Much of the reforms identified by the Consortium have been adopted by the State of Nevada

## **PROJECT SCOPE:**

The Board of Oriental Medicine (hereinafter referred to as the BOM) has decided to retain the services of a Lobbyist for representation during the 2017 Session of the Nevada Legislature. The Nevada Legislature is already beginning its second month of session and the BOM begins its legislative agenda behind the curve. The Nevada Session operates under a very tight time schedule of only 120 days, and issues of importance are usually brought before legislators well before a session begins. The necessity of “hitting the ground running” to both be proactive on behalf of the BOM’s key issues as well as playing defense on those issues that could be detrimental to the goals of the BOM requires someone who has represented similar types of clients in the healthcare world and has the relationships among key Legislative decision-makers that Dan has already established. Dan knows who the key decision makers are, understands what is required to navigate the government bureaucracy, and has the contacts and relationships to achieve the Board’s immediate goals.

On behalf of the Board of Oriental Medicine, Dan would provide the following support:

- Conduct strategic planning sessions with key BOM leadership to identify and prioritize key issues.
- Identify any proposed legislation that would be of interest to the BOM.
- Monitor all Legislative Hearings that have issues of importance to the BOM.
- Represent the BOM at political events (if appropriate)
- Advocate positions to key elected and appointed officials within Nevada State Government.
- Provide government affairs-related analysis or research
- Collect and disseminate relevant intelligence
- Represent and position the BOM with all relevant state officials and agencies who might serve as advocates for the interests of the BOM as well as those that might be in contradiction of the goals of the BOM and work to mitigate their influence or opposition.
- Provide continued advocacy, consultative and strategy support on behalf of the BOM.

## **PROJECT BUDGET**

### **Fees**

Fees for the Government Affairs Advocacy and Consulting Services outlined above are proposed at the following rate:

## Dan Musgrove Advocacy Inc

\$3,000 per month beginning on March 15, 2017 for a period of three (3) months through June 15<sup>th</sup>, 2017 for a total of \$9,000 (contract start time is obviously negotiable). The Board of Oriental Medicine will provide an upfront retainer payment for Government Services of \$4,500 on or about the beginning of the contract start date. This agreement could be extended upon mutual agreement and understanding.

### **Expenses**

Professional services fees do not include expenses related to general office costs such as copying, mailing, producing exhibits, etc. Those will be billed on a cost basis.

Expenses for meals, entertainment, travel and lodging will be billed on a cost basis when travel is warranted and approved in advance (not expected) by the BOM and will be supported by receipts. Expenses for meals and entertainment that occur anytime because of advocacy on behalf of the BOM may be billed on a cost basis and supported by receipt. Living expenses during the Legislative session while in Carson City will not be billed to the BOM.

### **NO GUARANTEE**

Dan Musgrove Advocacy Inc makes no representations or warranties with respect to the outcome or results of any lobbying or advocacy services provided hereunder. Dan Musgrove Advocacy Inc shall use its very best efforts consistent with applicable laws, the direction it receives from the BOM, and customary industry practices and standards to achieve the desired outcome and results of its services, but makes no guarantees or promises with respect to any such results or outcomes.

### **EXECUTION OF AGREEMENT**

The Board of Oriental Medicine would agree to retain Dan Musgrove Advocacy Inc beginning on or about March 15, 2017. Throughout the term of this Agreement, Dan agrees to provide services as required by the BOM within the scope of this Agreement.

This agreement may be terminated by either party for any, or no cause upon 30 days written notice. If either party elects to terminate, the BOM will take all steps necessary to free Dan of any obligation to perform further services, and Dan will be entitled to be paid at the time of termination for all services rendered and costs and expenses paid or incurred on behalf of the BOM.

Submitted by:  
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