

Brian Sandoval, Governor



Maggie Tracey, O.M.D., President
Abraham Jim Nagy, M.D. Vice President
Lisa Grant, O.M.D., Secretary/Treasurer
Michael Ferris, Member
Chia Hua Linda Chow, Member
Michael Smith, Member
Merle Lok, Executive Director

STATE OF NEVADA
BOARD OF ORIENTAL MEDICINE

*****PUBLIC NOTICE*****
REGULAR BOARD MEETING
February 26, 2018 @ 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. Lisa Grant, OMD
Dr. Michael Ferris, OMD
Dr. Chia Hua Linda Chow, OMD
Michael Smith

Board Staff:

Merle Lok, Executive Director
Michael Detmer, Deputy AG

Public:

Dan Musgrove
Kim Dearing
Melanie Chapman
Dr. Bart Chapman
Daniel Davies
Elena Roemer (via telephone)

2. Public Comment (Discussion Only).

Melanie Chapman is here to listen to the comments regarding SB69.

3. Adoption of agenda (For Possible Action)

Motion: Dr. Grant motioned to approve

Second: Dr. Ferris

Action: Motion carried unanimously

- 4. Approve or disapprove the previous board meeting minutes of January 23, 2018 (For Possible Action).**
Motion: Dr. Grant motioned to approve
Second: Dr. Ferris
Action: Motion carried unanimously
- 5. Approve or disapprove of paying an honorarium to Mary Jean Lang for reviewing the exam for syntax issues (For Possible Action).**
Motion: Dr. Grant motioned to approve a \$50 honorarium to Mary Jean Lang
Second: Dr. Ferris
Action: Motion carried unanimously
- 6. Approve or disapprove of Dr. Kristie Jones' CEU titled Auricular Medicine Class III: Functions of Auricular Points (Part I-Day1) for 8 hours sponsored by Lotus Institute of Integrative Medicine online and Rescue the Root: Cupping the Navel for 2 hours sponsored by Lotus Institute of Integrative Medicine online (For Possible Action).**
Motion: Dr. Grant motioned to approve
Second: Dr. Ferris
Action: Motion carried unanimously
- 7. Discussion by AG regarding NRS 634A.230 and citations (For Discussion Action).**
DAG stated that this item should be tabled for the regular AG to discuss. He stated that an investigator would have to be hired to pursue criminal charges against any unlicensed practitioners.
- 8. Discussion regarding the dry needling committee meeting on 2/6/2018 (For Discussion Only).**
Dr. Tracey stated that Asheesh (DAG), the ED, Dr. Sharon Roth, Dr. Katania Taylor and herself meet with the PT group. There were 3 OMDs, 3 PTs, 1 nurse and staff at the meeting. There was a discussion about dry needling. There were no agreements regarding how to handle this issue. There will be another meeting with this group on 3/23/2018.
- 9. Approve or disapprove of sending out a survey regarding dry needling issues to its licensees by the Board (For Possible Action).**
Dr. Tracey stated that her main concern was the dumbing down of Oriental Medicine if dry needling was allowed. She stated that there were some questions she wanted the OM licensees to be surveyed on, such as (1) How do you feel about PTs doing dry needling with training? or (2) Should PTs not be allowed to perform dry needling at all? She will work with the ED on the survey questions.
Motion: Dr. Ferris motioned to approve
Second: Dr. Grant
Action: Motion carried unanimously
- 10. Approve or disapprove of Elena Roemer's request to audit some classes towards the requirement of 2500 hours by NAC 634A.080 (For Possible Action).**

Elena Roemer stated that she is in a doctoral program and was wondering if she could audit classes that could count towards the 2500 hours requirement due to cost concerns. Dr. Grant stated that no licensing body would accept audited classes for licensing purposes because there is no accountability, and that the tuition should be considered as part of the cost of doing business. Dr. Tracey stated that she contacted some educational institutions and no one has heard of allowing audited classes to be considered towards certification or licensing. The Board has a duty to protect the public safety and needs to conduct due diligence in its licensing and all the licensees have gone through the same experience.

Motion: Dr. Grant motioned to disapprove

Second: Dr. Ferris

Action: Motion carried unanimously

11. Approve or disapprove hiring a lobbyist (For Possible Action).

Dr. Tracey stated that hiring a lobbyist is necessary.

Motion: Dr. Grant motioned to approve

Second: Dr. Ferris

Action: Motion carried unanimously

12. Discussion by AG about the procedures and deadlines regarding changing NAC 634A and the workshop process (For Discussion Only)

DAG stated that a small business impact study needs to be done. There needs to be a 15 day notice for the workshop and then the proposed regulations will go before the LCB which has 30 days to make changes to the proposed regulations, unless there are reasons to push it back.

13. Discussion by AG about the SB69 statute (For Discussion only).

DAG stated that SB69 requires the creation of a regulation which will allow licensing by endorsement.

14. Approve or disapprove of the proposed SB [69] (sic) instructions and application form (For Possible Action).

Dr. Grant has a question about instruction #13 about taking the exam. DAG stated that the application has to conform to the statute. Dr. Grant stated that she had question about whether the SB 69 application can require an application to take the state jurisprudence portion of the exam like the Dental Board. DAG and Dr. Tracey stated that Dr. Grant's question can be tabled for the regular DAG to return.

15. Approve or disapprove of possible changes to NAC 634A at the workshop (For Possible Action).

Dr. Grant discussed the various proposed changes as stated in the supplemental materials.

16. Discussion of ED job evaluation (For Discussion Purposes only).

Dr. Tracey stated that she will privately discuss the job evaluation with the ED. She stated that other Board members can submit their comments. DAG stated that they cannot due to Open Meeting Law concerns.

17. Update regarding conversion from the Board's savings account to a Certificate of Deposit (For Discussion Only)

Dr. Grant stated that a 12 month CD has now been set up and the savings account has been closed. The ED and the Secretary/Treasurer which is Dr. Grant are the only signers on the CD.

18. Approve or disapprove of reduction in Board member's pay for Board meetings (For Possible Action.)

Drs. Tracey and Grant stated that due to increasing the Board from 5 members from 7 members, the Board members should consider reducing the Board pay.

Motion: Dr. Grant motioned to approve a reduction to \$100 per meeting for each Board member

Second: Dr. Ferris

Action: Motion carried unanimously

19. Approve or disapprove of future Board meeting dates (For Possible Action).

There was discussion regarding canceling the 3/27/18 meeting date and 4/23/18 meeting date and consolidating both meetings to 4/9/2018 at 6:30 p.m.

Motion: Dr. Grant motioned to approve

Second: Dr. Ferris

Action: Motion carried unanimously

20. Approve or disapprove of NAC Workshop dates and location (For Possible Action).

There was discussion that Dr. Grant would complete the proposed regulations by 3/8/18 and Dr. Tracey would approve them by 3/12/18. There was discussion that the workshop could be held in Las Vegas with teleconferencing to Reno on either May 7, 9, 10, 11 or 14 from 9 am to 1 pm.

Motion: Dr. Grant motioned to approve

Second: Dr. Ferris

Action: Motion carried unanimously

18. Public Comment (Discussion Only).

Melanie Chapman stated that the proposed SB 69 application appears to be the same application as for new licensees. She stated that SB 69 contemplates deference to licenses with substantial similarity. She stated that the application appears more restrictive and exceeds the scope of SB 69.

21. Adjournment (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Dr. Ferris

Action: Motion carried unanimously

Meeting Minutes have been approved.