

Ex. 3



OM Board <omboardexecutivedirector@gmail.com>

Small Business Impact Survey, Proposed Regulations, and Justification Statement

Michel Herskovitz <dr.herskovitz@gmail.com>

Fri, Mar 16, 2018 at 7:53 AM

To: OM Board <omboardexecutivedirector@gmail.com>

Nicely done! It's about time the NV Board moves into reality and conducts itself in a manner that allows for growth for our profession in NV. You have my blessing.

[Quoted text hidden]

Dr. Michel Herskovitz

702-838-8383

<http://acupunctureandlifestylemedicine.com/>

Brian Sandoval, Governor



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

**STATE OF NEVADA
BOARD OF ORIENTAL MEDICINE
3191 E. Warm Springs Rd.
Las Vegas, NV 89120**

Phone (702) 675-5326 Fax (702) 989-8584
Email: omboardexecutivedirector@gmail.com

SMALL BUSINESS IMPACT SURVEY

BUSINESS NAME: Chia Hua Chew LLC
BUSINESS ADDRESS: 8751 N. Charleston Blvd #.210
CITY: Las Vegas STATE: NV ZIP CODE: 89117
PHONE NUMBER: (702) 580-8672

1. The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.
2. To review the proposed regulations, please go the following website at: <http://orientalmedicine.nv.gov/> or contact us by email, phone, or fax to request a copy at the above-stated contact information.
3. Please answer the question below and add any qualifying remarks that may help us to understand your position. Email, mail, or fax your completed form on or prior to **3/30/18** to the above-stated contact information.

Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one) YES **NO**

If yes, please state the regulation number(s) and describe your business impact below: (Please attach additional pages if necessary).

Thank you.
The State of Nevada Board of Oriental Medicine

The State of Nevada Board of Oriental Medicine
Thank you.

If yes, please state the regulation number(s) and describe your business impact below:
(Please attach additional pages if necessary).

Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one) YES NO

3.0 Please answer the question below and add any qualifying remarks that may help us to understand your position. Email, mail, or fax your completed form on or prior to 3/30/18 to the above-stated contact information.

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1.0 The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.

PHONE NUMBER: 775-710-0715 or 775-530-5407

CITY: Reno STATE: NV ZIP CODE: 89521

BUSINESS ADDRESS: 1045 Banker R Blvd

BUSINESS NAME: Smart Marys Center for Family and Integrative Medicine
SMALL BUSINESS IMPACT SURVEY

Email: omb@ardexexecutivedirector@gmail.com

Phone (702) 675-5326 Fax (702) 989-8584

Las Vegas, NV 89120

3191 E. Warm Springs Rd.

BOARD OF ORIENTAL MEDICINE

STATE OF NEVADA



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SMALL BUSINESS IMPACT SURVEY

BUSINESS NAME: Legacy Oriental Medical Center, Inc

BUSINESS ADDRESS: 9163 W. Flamingo Road, #110

CITY: Las Vegas STATE: NV ZIP CODE: 89147

PHONE NUMBER: 702-898-7899

- 1. The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.
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Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one) YES NO

If yes, please state the regulation number(s) and describe your business impact below: (Please attach additional pages if necessary).

NAC 634A - The current proposed amendment does not provide a valid pathway for current and previously licensed Oriental Medical Doctors under previous NAC 634A. Such dramatic change in state law would inevitably causing some former licensees to losing their licenses. Doctors who were licensed under the grandfather law should be excluded from 634A.135 item 5 and 6 requirements.

Thank you.
The State of Nevada Board of Oriental Medicine

Brian Sandoval, Governor



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SMALL BUSINESS IMPACT SURVEY

BUSINESS NAME: First Acu & Herb Clinic

BUSINESS ADDRESS: 5288 Spring Mountain Rd. Ste. 250

CITY: Las Vegas STATE: NV ZIP CODE: 89146

PHONE NUMBER: 702-220-4202

- 1.0 The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.
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Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one) **YES** NO

If yes, please state the regulation number(s) and describe your business impact below: (Please attach additional pages if necessary).

Clarify that section 634A.135, 5(c) and (e) only pertain to new licensees after Dec. 2018
Suggestion: The bar can have a 10-hr continued education course for bar members.

Thank you.
The State of Nevada Board of Oriental Medicine

Tenaya Holistic Healthcare Center

Lin Zhang, O.M.D.

3211 N. Tenaya Way, Suite 106

Las Vegas, NV 89129

Tele. (702) 839-2885; Fax (702) 839-9728

March 29, 2018

To: State of Nevada Board of Oriental Medicine.

Re: Small Business Impact Survey.

Dear Members of the Board,

I wish to comment on one of the proposed amendments to NAC 634A. Specifically, 634A.135, section 6.

I understand this requirement for NCCAOM certification applies **only** to licensee applicants who are approved after December 2018, not to existing licensees. In other words, myself and a number of other current practitioners will **not** be required to obtain and maintain NCCAOM certification to renew our licenses in the future. Is my understanding correct? Such a requirement would have catastrophic consequences for anyone failing to obtain certification. It could result in loss or delay of license renewal and therefore loss of their livelihood. I do not think it is the intention of the Board that this could be a result of the proposed amendments, but still I think wording should be included in this section 6 or another section to “grandfather” current licensees and exempt them from the requirement of NCCAOM certification.

Thank you for your consideration.

Sincerely,

Lin Zhang, O.M.D.

Brian Sandoval, Governor



Maggie Tracey, O.M.D., *President*
Abraham Jim Nagy, MD, *Vice President*
Lisa Grant, O.M.D., *Secretary/Treasurer*
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Email: omboardexecutivedirector@gmail.com

SMALL BUSINESS IMPACT SURVEY

BUSINESS NAME: ACCU LLC

BUSINESS ADDRESS: 7595 W Washington #170

CITY: Las Vegas STATE: NV ZIP CODE: 89128

PHONE NUMBER: 702-362-1300

1. The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.o
- 2.o To review the proposed regulations, please go the following website at:o <http://orientalmedicine.nv.gov/> or contact us by email, phone, or fax to request a copy at the above-stated contact information.o
3. Please answer the question below and add any qualifying remarks that may help us to understand your position. Email, mail, or fax your completed form on or prior to 3/30/18 to the above-stated contact information.o

Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one)

YES NO

If yes, please state the regulation number(s) and describe your business impact below:
(Please attach additional pages if necessary).

Existing Licereces. Shoulder be grandfathered into the
D i s rules and not be reg i :all 'a =ON
oriental medical Certification. (634A.135-6)

Thank you.
The State of Nevada Board of Oriental Medicine

Brian Sandoval, Governor



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SMALL BUSINESS IMPACT SURVEY

BUSINESS NAME: Dr. Kyo Mitchell OMD
BUSINESS ADDRESS: 3400 N Tropic Way Suite 117
CITY: Las Vegas STATE: NV ZIP CODE: 89128
PHONE NUMBER: 702-481-6216

- 1.a The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.a
- 2. To review the proposed regulations, please go the following website at: <http://orientalmedicine.nv.gov/> or contact us by email, phone, or fax to request a copy at the above-stated contact information.a
- 3.a Please answer the question below and add any qualifying remarks that may help us to understand your position. Email, mail, or fax your completed form on or prior to 3/30/18 to the above-stated contact information.a

Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one) YES NO

If yes, please state the regulation number(s) and describe your business impact below: (Please attach additional pages if necessary).

634A 135-6 This wording is confusing
It might be better to say: All licensees approved
a Rec Rec 2018, including endorsement licensees :-
Currently, it can be read as if all licensees must maintain
Thank you. a NCCAOT certification, which was not previously
The State of Nevada Board of Oriental Medicine required and would be
for too expensive & time to
to receive.

Tenaya Holistic Healthcare Center

*Lin Zhang, O.M.D.
3211 N. Tenaya Way, Suite 106
Las Vegas, NV 89129
Tele. (702) 839-2885; Fax (702) 839-9728*

March 29, 2018

To: State of Nevada Board of Oriental Medicine.

Re: Small Business Impact Survey.

Dear Members of the Board,

I wish to comment on one of the proposed amendments to NAC 634A. Specifically, 634A.135, section 6.

I understand this requirement for NCCAOM certification applies **only** to licensee applicants who are approved after December 2018, not to existing licensees. In other words, myself and a number of other current practitioners will **not** be required to obtain and maintain NCCAOM certification to renew our licenses in the future. Is my understanding correct? Such a requirement would have catastrophic consequences for anyone failing to obtain certification. It could result in loss or delay of license renewal and therefore loss of their livelihood. I do not think it is the intention of the Board that this could be a result of the proposed amendments, but still I think wording should be included in this section 6 or another section to “grandfather” current licensees and exempt them from the requirement of NCCAOM certification.

Thank you for your consideration.

Sincerely,

Lin Zhang, O.M.D.

Brian Sandoval, Governor



Maggie Tracey, O.M.D., President
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SMALL BUSINESS IMPACT SURVEY

BUSINESS NAME: VINCE LINK, DMD
BUSINESS ADDRESS: 2920 S. Rainbow Blvd #140
CITY: LAS VEGAS STATE: NV ZIP CODE: 89146
PHONE NUMBER: (702) 635-5672

1. The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.
2. To review the proposed regulations, please go to the following website at: <http://www.orientalmedicine.nv.gov/> or contact us by email, phone, or fax to request a copy at the above-stated contact information.
3. Please answer the question below and add any qualifying remarks that may help us to understand your position. Email, mail, or fax your completed form on or prior to 3/30/18 to the above-stated contact information.

Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one)

YES NO

If yes, please state the regulation number(s) and describe your business impact below: (Please attach additional pages if necessary).

NAC 634A.135.5(D)
REINSTATEMENT TO ACTIVE STATUS

SEE ATTACHED PAGE

REGULATION NCA 634A. 135 5 d

Many OMD licensees from the past that did not have NCCAOM certification, therefore to require them now to provide documentation of maintaining the NCCAOM during their inactive status time is totally unfair and unjustifiable. This will definitely bring hardship to these licensees as the cost to obtain full NCCAOM certification would be in the thousands of dollars. Also, there are other OMD licensees that were NCCAOM certified in the past but did not want to keep their NCCAOM certification due to its high cost to maintain 60 hours of continuing education every 4 years and still have to fulfill their 10 CEUs each year for the state of Nevada.

My recommendation, if the board has some concerns of the proficiency of the inactive status licensees skills, then the board should require these licensees to be subjected to one of the following options:

(1) To keep up the Nevada annual CEU requirement just like those on active status or (2) to provide proof of active practicing license at any other state during their inactive time in Nevada. Meeting one of these 2 options should be satisfactory to the reinstatement to active status. Thank you board for your utmost consideration to this matter.

Vince Link, OMD

Brian Sandoval, Governor



Maggie Tracey, O.M.D., *President*
Abraham Jim Nagy, MD, *Vice President*
Lisa Grant, O.M.D., *Secretary/Treasurer*
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SMALL BUSINESS IMPACT SURVEY

BUSINESS NAME: Lee's Oriental Medical Clinic
BUSINESS ADDRESS: 1223 South Maryland Parkway
CITY: Las Vegas STATE: NV ZIP CODE: 89104
PHONE NUMBER: (702) 386-2828

1. The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.
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3. Please answer the question below and add any qualifying remarks that may help us to understand your position. Email, mail, or fax your completed form on or prior to **3/30/18** to the above-stated contact information.

Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one) **YES** **NO**

If yes, please state the regulation number(s) and describe your business impact below:
(Please attach additional pages if necessary).

Just ADD - 02417-153
5. (d) ALL Licences, After rec. 2018

Reason - Those who has been practicing OM in this state, do not have
Thank you. The NCCOM National License. To reinstatement from inactive to active
The State of Nevada Board of Oriental Medicine they need all requirements by the law, but
NCCOM certification.

DR. SAE E LEE

634A.110 Reexamination of applicant who fails practical examination.

2. If an applicant who has failed the practical examination failed only one section of the practical examination, the applicant will be reexamined only with respect to the section that he or she failed. If the applicant failed two or more sections of the practical examination, he or she must repeat the entire practical examination at the time of reexamination. *After Dec 31, 2018, an applicant who fails any section of the practical examination must retake the entire exam.*

ADD, -
All licensees,

634A.135 Continuing education; placement of license on inactive status; reinstatement to active status.

5. (d) *After Dec 2018 If the licensee has been inactive, the licensee must provide documentation of maintaining the NCCAOM national license during the inactive time.*

6. *All licensees, including endorsement licensees approved after Dec 2018 must maintain their NCCAOM Oriental Medicine certification. A copy of the NCCAOM license must be kept on file with the Executive Director, and resubmitted upon recertification by NCCAOM.*

634A.137 Approval of courses of continuing education.

1. A person or entity shall not offer a course of continuing education for licensees in this State unless the person or entity has first obtained approval for the course from the Board pursuant to this section.

2. *All continuing education courses certified by NCCAOM in the AOM-BIO core competency recertification category will be accepted by the Board without review or additional fees.*

3. *Board approval of non-NCCAOM courses for CEUs will expire 4 years after the Board approval date.*

634A.140 Payment of annual registration fee.

Each person who holds an active or inactive license to practice Oriental medicine shall pay to the Board an annual registration fee as required by NAC 634A.165. *The fees of new licensees shall be prorated by month until the next renewal date.*

Brian Sandoval, Governor



Maggie Tracey, O.M.D., *President*
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SMALL BUSINESS IMPACT SURVEY

BUSINESS NAME: Duk Acupuncture Clinic
BUSINESS ADDRESS: 2710 S. Maryland PKWY # B
CITY: Las Vegas STATE: NV ZIP CODE: 89109
PHONE NUMBER: 702 734 6903

- 1. The question below pertains to how the proposed changes in the Nevada Administrative Code regarding the practice of Oriental Medicine will affect your business.e
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<http://orientalmedicine.nv.gov/> or contact us by email, phone, or fax to request a copy at the above-stated contact information.
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Is there an adverse business or economic impact on your business by these proposed regulations? (Please circle one) YES NO

If yes, please state the regulation number(s) and describe your business impact below: (Please attach additional pages if necessary).

I would like for the regulations to remain the same.

Thank you.
The State of Nevada Board of Oriental Medicine

Ex. 4

Brian Sandoval, Governor



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

**NEVADA STATE BOARD OF ORIENTAL MEDICINE
APPLICATION FOR CREDIT APPROVAL OF CONTINUING EDUCATION
Pursuant to NAC 634A.137**

Please mail to: Board of Oriental Medicine, 3191 E. Warm Springs Rd., Las Vegas, NV 89120

Name of Applicant or Entity: Nevada Oriental Medical Association - Richard Mitchell

Address: 240 N Teagarden Way Ste 117 Las Vegas NV 89128

Phone Number: 702-481-6216 Email: ckyamitchell@gmail.com

I.e Location and Address of the continuing education program: Gold Coast Casino
4000 W Flamingo Rd Las Vegas NV 89103

II.e Course approved by: NCCAOMe yes no

Other entity/entities: California Board - in the past

III. Please fill out below:

Name of Instructor(s)	Degree of Instructor(s)	Date	Time:		CE Hours	Title of Course
			From	To		
<u>Yvonne Farrell</u>	<u>DAOM</u>	<u>Sept 29 2018</u>	<u>8am - 5pm</u> <u>(1 hour 10 min)</u>		<u>8 hrs</u>	<u>Psychoemotional Disorders and the eight extrameningeal vessels</u>

- IV.e One application per course must be submitted for review and approval.e
- V.e Supporting documentation must include: all material relating to the course, including, without limitation, written material to be provided to a licensee attending the course; and
- VI.e The fee required pursuant to NAC 634A.165 of \$100 (per course).e
- VII.e The Board recommends including also a syllabus for the course in addition to a curriculum vitae for the instructor(s).
- VIII.e If the Board approves a course of continuing education pursuant to NAC 634A.137, the Board will determine the number of hours of continuing education that a licensee may receive for attending the course.

I swear that the above statement is nothing but true.

Signature of the Applicant or Representative of Entity: Richard Mitchell

Name: Richard "Kym" Mitchell

Date: 3/10/18

Yvonne R. Farrell, DAOM, LAc.
LA Herbs and Acupuncture
2990 Sepulveda Blvd. #205
Los Angeles, CA 90064
310-492-5185

- OBJECTIVE:** To be involved in the education of current & future acupuncturists.
To inspire practitioners to embrace the elegance of Chinese medicine.
To educate and treat patients in private practice.
- QUALIFIED BY:** 20 years of teaching experience and the supervision of students in a clinical setting.
20 years of private practice.
- WORK EXPERIENCE:** Over 25 years of private practice in the health care field with health care providers and also education experience as a guest lecturer, teacher and clinic supervisor.
Specifically:
- Present:
- Private Practice, LA Herbs & Acupuncture, Los Angeles, California
CEU course instructor
Visiting instructor at DAOM programs: Yo San, OCOM, PCOM & ACTCM
- Past:
- Part-time faculty in several Chinese Medicine Masters Programs
Yo San University, Emperor's College of Traditional Oriental Medicine, South Baylo University, Southern California University of Health Sciences.
Classes taught in several departments: Acupuncture, Chinese Medical Theory, & Herbology.
- | | |
|-----------|---|
| 2009-2010 | Doctoral Program Director
Yo San University, Los Angeles, CA |
| 1996-1998 | Clinic director of Emperor's College intern clinic
Santa Teresita Hospital's Alternative Health Center |
| 1996-2005 | Clinic supervisor @ Emperor's College |
- PUBLICATIONS:** Psycho-Emotional Pain and the Eight Extraordinary Vessels, Singing Dragon. 2016
- EDUCATION:** Doctorate of Acupuncture and Oriental Medicine
[DAOM] from Emperor's College, Santa Monica, CA [2005-2007]
Masters Degree in Traditional Oriental, Medicine from Emperor's College,
[1992-96]
- Internship at Shanghai Medical University, Shanghai, China. 8 weeks, 300 hours [1995]

e-mail: drfarrell@laherbsandacupuncture.com

Yang: depression & self-sabotage

2:15-3:00 pm: Qiao Vessels Overview
Vision & Stance, balance & polarity
Depression & sleep disorders
Yin: Insight & Self-illumination
Yang: Vigilance & filtering the outside world

BREAK

3:15-4:00 pm: Dai Mai
Overview
Depression, sexual trauma/intimacy issues, anger management, suppressed trauma
Latency, Repression & Suppression

4:00-4:45pm Creating a treatment: ritual informs intent
Point selection, location and techniques.

BREAK

5:00-6:00 pm Conclusions
Pitfalls of treating psycho-emotional disorders.

Questions and answers.

*if there is time, I can also include a section on pulses. This is more challenging with a larger group.

Psycho-emotional Pain & the 8 Extraordinary Vessels

YR Farrell, DAOM, LAc
2018

Mental illness

Modern epidemic

An Epidemic of Emotional Distress

• According to a report released in October of 2011, by the National Center for Health Statistics (NCHS), the rate of antidepressant use in the US among teens and adults (people ages 12 and older) increased by almost 400% between 1988–1994 and 2005–2008.

• <http://www.health.harvard.edu/>