

Brian Sandoval, Governor



Seung B. Park, O.M.D., *President*
Vince Link., O.M.D., *Vice President*
Olivia Rhee, O.M.D., *Secretary-Treasurer*
Fely Quitevis., *Member*
Abraham Jim Nagy, M.D., *Member*
Merle Lok, *Executive Director*

STATE OF NEVADA
BOARD OF ORIENTAL MEDICINE

*****PUBLIC NOTICE*****
REGULAR BOARD MEETING
February 11, 2016 @ 6:00 PM

AT THE FOLLOWING LOCATION:

Grant Sawyer Building, Office of the Attorney General, 555 East Washington Ave., Room #3018 - Las Vegas, NV 89101.

*****MINUTES*****

1. CALL TO ORDER (Discussion/For Possible Action) Seung B Park, OMD, President

Roll call to determine presence of a quorum, at 6:00 pm

Board Members Present:

Dr. Seung B Park, OMD (Via Phone)

Dr. Vince Link, OMD (Via Phone)

Dr. Olivia Rhee, OMD (Via Phone)

Board Staff:

Sophia Long, Board Counsel, DAG

Merle Lok, Executive Director

Public:

In person:

Lisa Mathews

Daniel Davies

Via telephone:

Yeaji Suh

Angela Stueber

2. PUBLIC COMMENT

None

3. Adoption of Agenda (For Possible Action).

Motion: Dr. Park motioned to adopt the agenda

Second: Dr. Rhee

Action: Motion carried unanimously

4. Approve or disapprove of January 21, 2016 Minutes (For Possible Action).

Motion: Dr. Park motioned to adopt the minutes

Second: Dr. Link

Action: Motion carried unanimously



5. ***Approval or disapprove of the Secretary/Treasurer's revised bill (For Possible Action).***
 Motion: Dr. Park motioned to approve the Secretary/Treasurer's revised bill
 Second: Dr. Link
 Action: Dr. Rhee abstained from voting. The remainder of the Board voted yes. Motion carried.

6. ***Approve or disapprove of Dr. Raina Ferran's CEUs titled Master Tung's Acupuncture: Allergies, Digestion and Insomnia Strategies for 8 hours provided by Lotus Institute of Integrative Medicine presented on 8/22/2015 in CA (For Possible Action).***
 Motion: Dr. Park motioned to approve
 Second: Dr. Link
 Action: Motion carried unanimously

7. ***Approve or disapprove of Dr. Kristie Jones' CEUs titled Top 10 Master Tung's Dao Ma Points for 2 hours provided by Lotus Institute of Integrative Medicine online and Advanced Distal Needling Acupuncture for Pain for 8 hours provided by Lotus Institute of Integrative Medicine presented on 8/22/2015 in CA. (For Possible Action).***
 Motion: Dr. Park motioned to approve
 Second: Dr. Link
 Action: Motion carried unanimously

8. ***Approve or disapprove of Dr. Joseph Rueckl's CEU titled Using Western Herbs and Essential Oils for Treating Gynecological Disorders for 14 hours provided by Snow Lotus Seminars on 11/7-11/8/2015 in California. (For Possible Action).***
 Motion: Dr. Park motioned to approve
 Second: Dr. Rhee
 Action: Motion carried unanimously

9. ***Approve or disapprove of a person or entity submitting a CEU application with course materials and instructor resume or CV to the Executive Director at least one month before the license expiration date of January 31 to facilitate the processing of the license prior to the expiration date. (For Possible Action).***
 There was discussion that this deadline will be more cost efficient for the Board since it will not have to have a meeting in February again shortly after its January meeting to accommodate CEU applications submitted after its January meeting and that this deadline will ensure that licenses will be processed prior to their January 31 expiration date.
 Motion: Dr. Park motioned to approve
 Second: Dr. Rhee
 Action: Motion carried unanimously

10. ***Discussion regarding the duties of the Board's Deputy Attorney General and compensation concerning his or her work. (For Possible Action).***
 There was discussion regarding the Deputy AG's duties which is to provide, *inter alia*, legal advice to state agencies, and is in line with the Board's duties, which is to protect the public. There was discussion regarding the AG's billing rate which is set by statute. There was discussion regarding the AG's Office billing the Board for talking to a member of the public and whether the bill should be paid by that public person as there is no accountability and no control of such billing.
 Motion: Dr. Park motioned that the Board has to approve of the AG's work for compensation, which should not overlap with the Independent Counsel duties which are contracted with Board, and the AG must obtain permission of the Board for other administrative work not referred to AG by ED or President of the Board if the work has to be paid by the Board.
 Second: Dr. Link
 Action: Motion carried unanimously

11. Discussion regarding Wongu University of Oriental Medicine's responsibilities under NRS 634A.090 and payment of \$5000 annual fee for approval of curriculum under NAC 634A.165. (For Possible Action).

There was discussion that there was no \$5000 payment received by the ED by 2/1/16. Dr. Davies brought a letter dated 2/1/16 with a certified postal receipt receipt stating that it was mailed on 2/5/16 and he represented that a \$5000 check for 2016 was sent with the letter. ED stated that the bank representative did a search for a \$5000 deposit from Wongu for each year for 2013, 2014 and 2015 and did not find any such deposits. Dr. Davies stated that there was a check sent for 2013 since there was a curriculum change but nothing was sent for 2014 and 2015 as there was no change to the curriculum. Dr. Davies stated that there was any inquiry to the prior ED whether the \$5000 fee was necessary for 2014 and 2015 as there was no change to the curriculum and there was no response from the prior ED. Dr. Davies stated that he understands that the \$5000 fee is the law but he questions the \$5000 fee as a block to free trade and not having a purpose and it is more like a tax as there is no service, and he requests justification for the fee. Dr. Davies stated the CPE charged \$400 for an expert reviewing Wongu's curriculum. Dr. Suh stated that she personally spoke to prior ED regarding whether Wongu needed to submit a \$5000 payment if there was no change to the curriculum and there was no response. Dr. Suh stated that she was not aware of any application. There was discussion as to whether the Board still has the original application for Wongu. Dr. Park stated that Wongu has to submit the \$5000 payment annually whether there is a change in the curriculum or not. ED suggested that Wongu should submit a \$5000 check each year for 2014 and 2015 and the curriculum materials for an expert review; Dr. Davies agreed with the request. ED requested permission to retain an expert. Dr. Rhee stated that the Board needs to approve the curriculum unless an expert is necessary. AG stated that retention of an expert is not proper on this Agenda item. Dr. Davies stated that he will get the materials requested by 3/11/2016.

Motion: Dr. Park motioned that Wongu has to send in materials discussed (i.e., the 2012, 2013, 2014, 2015, 2016 curriculum material, the 2013 returned cancelled check, and the \$5000 annual fee each year for 2014 and 2015, and any correspondence regarding whether the \$5000 annual fee needed to be paid) by 3/11/2016 and the other issues are tabled.

Second: Dr. Link

Action: Motion carried unanimously

12. Public Comment (Discussion Only).

Dr. Lisa Mathews stated that if the Board conducts any business with the independent counsel, then that information should be made part of the public record so that there is transparency including any budget considerations. She wanted to know about the dry needling status. She stated that any payment plan for the AG should be public record.

There was discussion about the status of the independent counsel contract.

13. Adjournment

Motion: Dr. Park motioned to adjourn.

Second: Dr. Rhee

Action: Motion carried unanimously - Adjourned

Meeting Minutes have been approved.