

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**  
**January 23, 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  
Fely Quitevis, public member

Board Staff:

Asheesh Bhalla, Board Counsel, AG Office  
Merle Lok, Executive Director

Public:

*In person:*

Daniel Davies  
Rachel Kohl  
Jenelle Lauchman  
Farolyn McSweeney  
Sharon Roth

*Via telephone:*

Yeaji Suh

**2. Public Comment**

None

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

Motion: Ms. Quitevis motioned to adopt the agenda

Second: Dr. Mathews

Action: Motion carried unanimously



4. **Approve or disapprove of November 3, 2016 Minutes (For Possible Action).**  
Motion: Dr. Link motioned to adopt the minutes  
Second: Ms. Quitevis  
Action: Motion carried unanimously
5. **Approve or disapprove of Faith Noborikawa as an OMD licensee in Nevada as she has passed her licensing exam. (For Possible Action).**  
Motion: Dr. Link motioned to approve  
Second: Ms. Quitevis  
Action: Motion carried unanimously
6. **Approve or disapprove of renewing lease for the Board's office (For Possible Action).**  
Motion: Ms. Quitevis motioned to adopt the agenda  
Second: Dr. Mathews  
Action: Motion carried unanimously
7. **Update of a makeup licensure exam for Susan Rosenberger to be held on February 18, 2017 to be administered by Dr. Sandip Thanki at 4350 E. Sunset Road, Ste 107A, Henderson, NV 89014 at the rate of \$30 per hour (For Discussion Purposes only).**  
ED explained that on the day before the 12/17/16 exam, Ms. Rosenberger advised that her flight was cancelled due to weather and she could not make it for the exam. The AG told ED that ED could re-schedule another exam date for Ms. Rosenberger. ED stated that February 18, 2017 exam date was convenient for both Ms. Rosenberger and Dr. Thanki.
8. **Update and discussion regarding online payment accounts as an online way to accept payments to the Board and to charge a fee to cover the cost of using said account(s) to the user (For Discussion Purposes Only).**  
Dr. Mathews explained that she reviewed the process for establishing an online payment system and it is a complicated process. There are several agencies involved and different calculations for credit card fees have to be done depending on the credit card used as the Board cannot make a profit. Dr. Mathews is no longer looking into the option of offering online payments.
9. **Update and discussion regarding NRS 634A.025 and the deletion of NRS 634A.200. (For Discussion Purposes Only).**  
ED explained that the AG wanted the Board members to be aware of NRS 634A.025 which basically states that any practitioners of acupuncture employed by a school of Oriental Medicine in a teaching capacity does not come under NRS 634A. Dr. Tracey added these doctors cannot charge the public any fees for themselves.
10. **Update and discussion regarding the actions recommended by the Sunset Committee at its June 16, 2016 meeting and other legislative issues (For Discussion Purposes only).**  
ED stated that the Sunset Committee has sent a letter to the Board which incorporates the minutes from its 6/16/16 meeting. ED read the minutes into the record: Senator Parks moved to continue the State Board of Oriental Medicine with the following modifications: (1) physicians appropriately trained in acupuncture do not have to have an

Oriental medicine license; (2) send a letter to the State Board of Oriental Medicine recommending that it withdraw the portion of LCB File No. R072-14 that imposes the doctorate requirement, and inform the Legislative Commission of the Subcommittee's opposition to the proposed regulation; (3) amend NRS 634A to increase the number of members of the Board from the current five to seven and provide that one member of the Board shall represent a school or college of Oriental medicine located in Nevada, the establishment and curriculum of which is approved by the Board pursuant to NRS 634A.090; (4) amend NRS 634A to provide that the members serve at the pleasure of the Governor, who may remove a member at will; (5) revise NRS 634A.200 to provide that the provisions of the chapter do not apply to physicians licensed under Chapter 630 ("Physicians, Physician Assistants, Medical Assistants, Perfusionists and Practitioners of Respiratory Care") or Chapter 633 ("Osteopathic Medicine") of NRS; and (6) require the State Board to submit reports of activities to the Sunset Subcommittee every six months until the 2019 Legislature convenes. Such reports will include minutes of meetings, the examination and licensing of applicants, approval of curricula of any school or college of Oriental medicine located in Nevada, oversight of practitioners, and any other issue as directed by the Sunset Subcommittee. The motion was seconded by Assemblywoman Bustamante Adams and passed unanimously.

**11. Update and discussion regarding dry needling (For Discussion Purposes only).**

Dr. Tracey received a call about a serious complaint about a physical therapist doing dry needling which was submitted to the Department of Health and Human Services. Dr. Tracey and Dr. Katania Taylor met with various staff at the Department of Health and Human Services to explain their concerns and issues about physical therapists who are not properly trained to perform dry needling. The Department of Health and Human Services would like more time to look into this and is in contact with the CDC, the FDA, infectious disease specialists, and other agencies in different states. Dr. Tracey shared an email from the Department of Health and Human Services that voiced its concerns and an attachment of different state laws. Additionally, Dr. Tracey stated that she has heard that physical therapists are referring to dry needling as acupuncture to their patients. Dr. Tracey would like to establish stringent requirements for physical therapists to perform dry needling where it is not considered acupuncture. Dr. Tracey stated that it is upsetting and unacceptable to her that our licensees go through 5 years of school and physical therapists have 15 hours of training, and not even in some cases, and claim that they are doing acupuncture.

Jenelle Lauchman, representing the physical therapy association, stated that they are bring a NRS legislative change to modernize the practice of physical therapy. The change would be that if the physical therapist wanted to do a new and a not entry-level skill, he would have to have education in that new skill. She stated that basic dry needling education is 3 days on site but she is unsure how many hours it is.

**12. Approve or disapprove of Dr. Stephanie Pavlik's CEU titled Pediatric Acupuncture & Herbs: Core Theories of Practice, Autism, Asthma and ADHD for 8 credits sponsored by Lotus Institute and Pediatric Acupuncture & Herbs: Integrative Channel Development, GI Issues and Tuina Strategies for 8 credits presented by David Miller, MD and sponsored by Lotus Institute online live on 1/23-1/24/16 (For Possible Action).**

Motion: Dr. Mathews motioned to approve both CEUs for 8 credits each, totaling 16 credits

Second: Ms. Quitevis

Action: Motion carried unanimously

13. **Approve or disapprove of Dr. Anita Lanier's CEU titled Contemporary Cupping Methods for 22.5 credits presented by Mark Perido, MSOM and sponsored by International Cupping Therapy Association on 2/5-2/7/16 in Las Vegas, NV (For Possible Action).**

Motion: Dr. Link motioned to approve for 20 credits because no more than 10 credits per year can be carried to the next year

Second: Ms. Quitevis

Action: Motion carried unanimously

14. **Approve or disapprove of Dr. Raina Ferran's CEU titled Essential Tung's Acupuncture: Clinical Strategies for Treating Pain for 8 credits presented by Brad Whisnant, DAOM, LAC, and sponsored by Lotus Institute online (For Possible Action).**

Motion: Dr. Mathews motioned to approve for 8 credits

Second: Ms. Quitevis

Action: Motion carried unanimously

15. **Approve or disapprove of Dr. Farolyn McSweeney's CEU titled Advanced Kinesiology for 7 credits presented by Virginie Vandevoorde IBA, LMT and sponsored by The International Kinesiology Training Institute online live on 11/11/16 and Changing How We Feel By Changing How We Think for 6 credits presented by Joseph Shannon PhD and sponsored by Institute for Brain Potential online live on 11/18/16 (For Possible Action).**

Motion: Dr. Link motioned to approve both CEUS for 7 credits and 6 credits respectively, totaling 13 credits

Second: Ms. Quitevis

Action: Motion carried unanimously

16. **Approve or disapprove of Dr. Brook Hollinger's CEU titled A Spirit at Rest: Treating Sleep Disorders with Chinese Medicine for 10 credits presented by Yvonne Farrell, LAC and sponsored by ProD Seminars online on 12/6/16 (For Possible Action).**

Motion: Dr. Mathews motioned to approve for 10 credits

Second: Dr. Link

Action: Motion carried unanimously

17. **Approve or disapprove of Dr. Joseph Rueckl's CEU titled Application of Yi Jing Time Medicine on Acupuncture Treatment part 1-4 for 32 credits presented by Feng Ninghan, OMD, LAC and sponsored by Five Branches University on 10/14-10/17/2016 (For Possible Action).**

Motion: Dr. Mathews motioned to approve for 20 credits because no more than 10 credits per year can be carried to the next year

Second: Ms. Quitevis

Action: Motion carried unanimously

18. **Approve or disapprove of Dr. Michel Herskowitz's CEU titled Integration in Action: Acupuncture's Impact on Stroke Rehabilitation; Acupuncture Therapy and Changing National Policy: Evidence-Informed Non Pharmacologic Strategy for Pain and the Opioid Epidemic; Insomnia and the Modern World: the Impact of a Modern Lifestyle on Sleep; Enhancing Life With Chinese Medicine; The Science, Data and Indications for Medical Cannabis; The Diagnosis of Classical Five Element Acupuncture; Simplified Pulse and Tongue Diagnosis For All GI Patterns; An Introduction to the Concept of Chrono-Herbalism of the Shanghan Lun; Hun Yuan Primordial Qigong; How's Your Sleep? Chinese Medicine for a Good Night; Keynote: Global Acupuncture for Trauma Healing; Fire and Ice; Breast Health and Chinese Medicine; Intro to Kliko Matsumoto Style (KMS) Acupuncture: Never Ignore an Appendix or Gallbladder Scar; Hun Yuan Primordial Qigong; The Anatomy of the Sinew Channels; Introduction to Chronic Conditions and the Dorsolateral Prefrontal Cortex; Advanced Acupuncture Techniques: Jumping Muscle Qi; Sexual Behavior, Practices, and TCM for Fertility; and Sex, Love, and Infertility Care for 30 credits sponsored by Pacific Symposium 2016 on 10/25-10/30/2016 (For Possible Action).**

Motion: Dr. Mathews motioned to approve for 20 credits because no more than 10 credits per year can be carried to the next year

Second: Dr. Link

Action: Motion carried unanimously

19. **Update and discussion regarding Wongu University's status in providing proof of the 2013 payment, documentation of its accreditation by other agencies and entities, and the presentation of Wongu's curriculum (For Discussion Purposes Only).**

ED just received a notarized letter from Dr. Davies stating that the \$5000 for 2013 has been paid, a bank statement showing a withdrawal of \$5000 in 5/2013 but no check is attached, and the curriculum packet from Wongu. Dr. Tracey had suggested that Dr. Davies provide a verification letter re: the payment. Dr. Link has reservations and wants to have due diligence done on whether the \$5000 was received by the Board.

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

ED stated that she drafted a general form as she did not know which documents would be submitted by the school. Dr. Davies stated that Wongu's curriculum has been approved by ACAOM which is rigorous. Dr. Davies recommended that since the post-secondary education department deferred to the ACAOM approval, the Board could perhaps do the same. Dr. Tracey stated that the NRS provides that the Board has to approve the curriculum annually but there are no NAC guidelines. AG stated that the NRS has to be complied with and the school can submit the same documents that were submitted to ACAOM so it will not be too burdensome. Dr. Mathews stated that Wongu could submit the ACAOM and the post-secondary approval certificates or curriculum documentation. AG stated that it is up to the Board's discretion whether these approval certificates were sufficient to meet the NRS. This matter will be tabled until the next meeting.

21. **Approve or disapprove of future board meeting dates (For Possible Action).**

Motion: Dr. Mathews motioned February 27, 2017 and April 10, 2017

Second: Ms. Quitevis

Action: Motion carried unanimously

**22. Discussion regarding possible NRS changes that may be beneficial to the Oriental Medicine profession in Nevada (For Discussion Only).**

Dr. Tracey would like the Board members to start looking at the NRS and the NAC regarding any possible changes. Dr. Tracey explained that a big NRS change may be coming to allow for licensing reciprocity with other states across many different licensed professions, including the OM profession.

**23. Discussion and election of Vice President (For Possible Action).**

Dr. Mathews nominated Dr. Link as Vice President.  
Dr. Mathews, Dr. Tracey, and Ms. Quitevis voted for Dr. Link.

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

Daniel Davies: He appreciate this new Board. He stated that he heard that the 2 new board members contemplated by the Sunset Committee would consist of a public member and a OM school member. He inquired whether there is a quarterly budget available from the Board. He asked about the educational requirements for any new applicants if the new NRS change re: reciprocity was passed. He also brought up medical insurance coverage for oriental medicine.

Sharon Roth: She suggested that some funding for the opioid issue could be diverted to acupuncture. She asked whether the Sunset Committee's recommendations applied to doctors, physician's assistants, DOs, as well as respiratory therapists and perfusionists. She inquired about whether once CEUs have been approved, there needs to any additional approvals.

Jenelle Lauchman: She asked whether there were any postings regarding a dry needling committee by the Board. Dr. Tracey stated that there is an independent dry needling committee established by the associations that is outside of the Board; there is no dry needling committee set up by the Board.

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

Motion: Dr. Tracey  
Second: Dr. Link  
Action: Motion carried unanimously

Meeting Minutes have been approved.