

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
January 23, 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 (in person)

Dr. Lisa Grant, OMD (in person)

Dr. Michael Ferris, OMD (in person)

Dr. Chia Hua Linda Chow, OMD (in person)

Dr. Abraham Jim Nagy, MD (via telephone)

Board Staff:

Merle Lok, Executive Director

Sophia Long, Deputy AG

Public:

Melanie Chapman

Shawheen Alavi-Moghaddam

Daniel Davies

Susie Rosenberger

DuWayne Steele

Zachary Burton

Donald Walker

Matthew Roderick

Heather Roderick

Arianne Sallaberry

Yoojin Lee-Sedera

Rachel Kohl (via telephone)

2. Public Comment (Discussion Only).

Please see attachment from Melanie Bernstein Chapman



- 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 October 17, 2017 (For Possible Action).**
ED stated that there was a typo with Dr. Nagy being MD, rather than an OMD.
Motion: Dr. Grant motioned to approve with the change
Second: Dr. Nagy
Action: Motion carried unanimously
- 5. Approve or disapprove of whether any additional educational requirements are necessary regarding prospective applicant Arianne Sallaberrys's request to be eligible for the state licensing exam (For Possible Action).**
Dr. Tracey stated that Ms. Sallaberry's transcript shows an extensive curriculum and Dr. Tracey does not have an issue with allowing her to sit for the state licensing exam. Dr. Grant stated that she was concerned about Ms. Sallaberry's needling technique since Ms. Sallaberry graduated in 2012. Ms. Sallaberry stated that she is confident that she maintained her needling technique as she has practiced on friends and family since her graduation.
Motion: Dr. Ferris motioned to approve Ms. Sallaberry for the state licensing exam
Second: Dr. Chow
Action: Motion carried unanimously
- 6. Approve or disapprove of adopting guidelines for SB 69 (For Possible Action).**
AG stated that SB69 regulations would be discussed at the workshop as this Agenda item mentioning guidelines is too narrow. This matter is tabled but there was a subsequent discussion regarding SB 69. Dr. Grant stated that per Ms. Chapman, the Board cannot hold up applications while the regulations are being drafted and asked whether applications can be decided on a case by case basis. AG stated that the license gets issued as long as it meets the statute. Dr. Grant asked how does the section of the exam testing state laws governing the practice in Nevada fit in as it cannot be equivalent to another state's section. AG stated that the state exam portion would have to be put in the regulations as SB 69 does not address that issue and so the Board cannot require someone to take that portion of the exam. AG stated that there cannot be guidelines made today. AG stated that a CV that is submitted is not sufficient as an application. AG stated that Asheesh and Sophia (deputy AGs) will help the ED with the applications. AG stated that the applicant would have to submit his fingerprints. Dr. Grant stated that under the national exam, there are 2 sections – one for LACs and one for OMDs with the OMDs having to pass the Herbal portion of the exam. The ED stated that she will work with the regular deputy AG and send the application to Dr. Chapman when it is complete.
- 7. Discussion regarding the meeting with the physical therapists, the telephone conference with the chiropractors, and the appearance with the Sunset Committee (For Discussion Only).**

Dr. Tracey stated that the ED, AG and herself met with the PT group wherein the PT group wanted to establish a dry needling committee with the PT Board and our Board, consisting of the Presidents of each Board, a nurse, and 2 licensees from each profession. Dr. Tracey wanted to establish a separate license for the PTs which the PTs declined or a set number of hours, probably 600 hours of training, for the PTs to be adequately trained. Dr. Tracey stated that PTs seemed serious about setting training hours for dry needling.

Dr. Tracey stated that the ED and herself, through Dan Musgrove, met with the chiropractic group. The chiropractic group had worked with the PTs and wanted to discuss scope of practice issues with our Board and the Chiropractic Board.

Dr. Tracey stated that the Sunset Committee is reviewing our Board regarding how many licensees were being licensed. Dr. Tracey stated that the Sunset Committee wanted regular meetings to be updated regarding our Board. Dr. Tracey stated that the ED represented the Board at the last meeting with the Sunset Committee and Dr. Tracey sent a letter highlighting that there was improving relationships with other Boards including the PT and Chiropractic Boards; cooperative relationships between the Department of Health and Human Services and Woung University. Dr. Tracey stated that the exam has been undergone major improvements, including getting an exam evaluator. Dr. Tracey stated that the impetus of SB 69 was getting Social Workers into Nevada and the legislators looked at across the other Boards applied SB 69 to them. Dr. Tracey stated that she wants to increase the number of licensees and also maintain the integrity of the profession as Nevada was the first state to legalize acupuncture. Dr. Tracey wants to maintain the high standards in Nevada as the original legislation wanted OMDs to be on par with other doctors.

8. Approve or disapprove of two licensees to meet with the physical therapy group regarding dry needling (For Possible Action).

Dr. Tracey stated that Sharon Roth and Katania Taylor will be meeting with the PTs regarding dry needling. AG asked whether they will be representing the Board or themselves. Dr. Tracey stated that only Dr. Tracey and Board staff will be representing the Board and that Dr. Roth and Dr. Taylor are at the meeting representing themselves as they are knowledgeable in the issues regarding dry needling.

Motion: Dr. Grant motioned to approve

Second: Dr. Ferris

Action: Motion carried unanimously

9. Approve or disapprove of hiring an accountant for the Board (For Possible Action).

ED stated that the Board is receiving enough funds wherein the NRS requires that the Board should hire an accountant to do accounting and oversight for the Board's finances. AG stated that the hiring process will be dependent on the amount paid to the accountant.

Motion: Dr. Ferris motioned to approve

Second: Dr. Grant

Action: Motion carried unanimously

- 10. Approve or disapprove of hiring an assistant to review and organize documents for the public archives (For Possible Action).**
Dr. Grant stated that the ED will be in charge of hiring the assistant to review and organize documents for the public archives at a rate of \$10-\$15 per hour.
Motion: Dr. Grant motioned to approve
Second: Dr. Chow
Action: Motion carried unanimously
- 11. Approve or disapprove of the following applicants to be OMD licensees in Nevada:**
- a. **Yoojin Lee-Sedera;**
 - b. **Carla McClure;**
 - c. **Heather Roderick;**
 - d. **Matthew Roderick;**
 - e. **Susan Rosenberger;**
 - f. **DuWayne Steele; and**
 - g. **Melissa Wilson.**
- (For Possible Action).**
Motion: Dr. Grant motioned to approve
Second: Dr. Chow
Action: Motion carried unanimously except Dr. Ferris recused himself regarding Susan Rosenberger
- 12. Approve or disapprove of Dr. Anita Lanier's CEU titled Yellow Emperor Medical Qigong & Qi Needle Treatment for 15 hours sponsored by International Qigong and Medical Research Institute (For Possible Action).**
Motion: Dr. Ferris motioned to approve
Second: Dr. Grant
Action: Motion carried unanimously
- 13. Approve or disapprove of Dr. Olivia Rhee's CEU titled Healing Community Trauma: How To Do Acupuncture in the Field for Traumatic Events for 15 hours sponsored by Acupuncturists Without Borders on 11/5-11/6/2016 in San Francisco, CA (For Possible Action).**
Motion: Dr. Ferris motioned to approve
Second: Dr. Grant
Action: Motion carried unanimously
- 14. Approve or disapprove of Dr. Amy DePry's CEU titled Optimizing Ovarian Reserve for 10 credits sponsored by ProD Seminars online (For Possible Action).**
Motion: Dr. Grant motioned to approve
Second: Dr. Ferris
Action: Motion carried unanimously
- 15. Approve or disapprove of Dr. Raina Ferran's CEU titled Fast Pain Relief With Tung's Acupuncture and Chinese Herbs for 8 credits sponsored by Lotus Institute of Integrative Medicine online (For Possible Action).**
Motion: Dr. Ferris motioned to approve
Second: Dr. Chow

Action: Motion carried unanimously

- 16. Approve or disapprove of Dr. Krista Italiano's CEU titled Treating the Thyroid and Adrenal Glands for Better Clinical Outcomes for 8 credits sponsored by ProD Seminars and Adaptogens-Modern Biomedical Understanding of Ancient Herbs for 3 credits sponsored by ProD Seminars (For Possible Action).**

Motion: Dr. Grant motioned to approve

Second: Dr. Chow

Action: Motion carried unanimously

- 17. Approve or disapprove of Dr. Maureen Lamerdin's CEU titled Teachings from the Taoist Canon: Inner Alchemy for 22.5 credits sponsored by American University of Complementary Medicine, from 11/18-11/20/2017 in San Francisco, CA (For Possible Action).**

Motion: Dr. Ferris motioned to approve

Second: Dr. Chow

Action: Motion carried unanimously

- 18. Approve or disapprove of Dr. Alyssa Wampole's CEU titled Infertility in Older Women: Aggressive Treatment Options Using Acupuncture and Herbs for 8 credits sponsored by ELotus Seminar and was originally recorded on 9/9/2017 (For Possible Action).**

Motion: Dr. Grant motioned to approve

Second: Dr. Chow

Action: Motion carried unanimously

- 19. Approve or disapprove of Dr. Lisa Grant's CEU titled Key Aspects of Western Reproductive Medicine for CAM Practitioners for 13 credits sponsored by ProD Seminars in a live webinar on 10/22/2017 (For Possible Action).**

Motion: Dr. Ferris motioned to approve

Second: Dr. Chow

Action: Motion carried unanimously except Dr. Grant recused herself

- 20. Approve or disapprove of Dr. Megan Clowers' CEU titled Neuro-Meridian Integrative Acupuncture: Torso, Neck and Head for 12 credits sponsored by Pro D Seminars on 1/3/2018 online (For Possible Action).**

Motion: Dr. Grant motioned to approve

Second: Dr. Ferris

Action: Motion carried unanimously

- 21. Approve or disapprove of Dr. Rachel Kohl's CEU titled Pain Management Series sponsored Acupuncture Professional consisting of: (1) Treating Sports Injuries with Acupuncture, Tuina and TCM for 2 credits; (2) Lower Back Pain: Assessment, Red Flags and Management for Acupuncturists for 2 credits; (3) Understanding Jing Jin for Treating Musculoskeletal conditions for 2 credits; (4) Electro-acupuncture and TENS: Putting Theory to Practice for 2 credits; (5) Psycho-Biology of Pain for 2 credits; and (6) Pain Management Clinical Handbook for Acupuncturists for 2 credits.**

Motion: Dr. Grant motioned to approve

Second: Dr. Chow

Action: Motion carried unanimously except Dr. Ferris recused himself

22. Discussion regarding the necessary documentation for CEU courses with the same title with the same sponsor taken during different years (For Discussion Only).

The ED stated that the issue came up because Acupuncturists Without Borders (“AWB”) has different classes throughout the US, during different years and presumably different instructors with the same title and she needed guidelines regarding what to look for. Dr. Grant stated if AWB provided a letter stating that the class is substantially the same, then it should suffice. Dr. Tracey stated that AWB classes are consistent. Dr. Tracey stated that she wants to have the CEU clarified in the new regulations.

23. Approve or disapprove of closing existing savings account and starting another new savings account due to unaccounted \$100 withdrawal in December 2016 (For Possible Action).

Dr. Grant stated that during an accounting, it was discovered that there was \$100 electronically withdrawn at a Target in Georgia from the savings account in December 2016. The bank was unable to trace the person who withdrew the money. the ED stated that she spoke to the auditor who suggested freezing the account; however, the bank was unable to freeze it but suggested moving the funds to a CD. Dr. Grant stated that ED’s name should be added to the CD as ED’s name was not on the savings account.

Motion: Dr. Ferris motioned to approve

Second: Dr. Chow

Action: Motion carried unanimously

24. Approve or disapprove of creating a manual regarding the ED functions (For Possible Action).

Dr. Grant stated that it would be a good idea to create a how-to manual regarding the ED functions. the ED stated that she was about three-quarters done with it.

Motion: Dr. Chow motioned to approve

Second: Dr. Grant

Action: Motion carried unanimously

25. Discussion regarding the Attorney General’s training session for Board and Commission members and staff on 2/15/18 in Carson City and in Las Vegas (Discussion Only)

Dr. Tracey stated that it was a good training session about Boards and new members are encouraged to attend.

26. Approve or disapprove of a committee to review and draft changes to NRS 634A and NAC 634A (For Possible Action).

Dr. Tracey stated that she would like to establish a committee to look at possible changes to the NAC. AG stated that the Board members could submit their changes to the ED who can compile them and present them at a later Board meeting. These changes will be submitted to the ED by 2/16/2018. This item is tabled.

27. Discussion regarding the ED job evaluation (For Discussion Only).

Dr. Tracey stated that Board members can submit their evaluation of the ED directly to her.

28. Discussion and election of Board President, Vice President and Secretary/Treasurer. (For Possible Action).

Motion: Dr. Grant motioned that Dr. Tracey be elected President.

Second: Dr. Ferris

Action: Motion carried unanimously

Motion: Dr. Grant motioned that Dr. Nagy be elected Vice President

Second: Dr. Chow

Action: Motion carried unanimously

Motion: Dr. Tracey motioned that Dr. Grant be elected Secretary/Treasurer

Second: Dr. Ferris

Action: Motion carried unanimously

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

Motion: Dr. Grant motioned that future Board dates would be 2/26/18 @ 6:30 p.m., 3/27/18 @ 6 p.m. and 4/23/18 @ 6:30 p.m., subject to change.

Second: Dr. Chow

Action: Motion carried unanimously

30. Public Comment (Discussion Only).

Zachary Burton stated that we are trying to further our craft and he has ideas about research with the school and wants to integrate the practice into western medicine, into hospitals and into prisons. He is looking at the big picture, where should be research done and we should all do it together.

Dr. Rachel Kohl stated that she represents the Nevada Coalition of Acupuncture and they will be submitting potential changes to the NAC. Dr. Tracey and Dr. Grant stated that she could submit these changes at the public workshop.

Dr. Davies stated that Wongu congratulates the new licensees and there will be a party for the new licensees at Wongu, perhaps on Acupuncture Day.

31. Adjournment (For Possible Action).

Motion: Dr. Grant motioned to approve

Second: Dr. Ferris

Action: Motion carried unanimously

Meeting Minutes has been approved.