

Joe Lombardo, Governor



Angela Nation, O.M.D., President
Huiwen Zhang, O.M.D, Vice President
Michael Ferris, O.M.D., Secretary/Treasurer
Sanghyun Lee, O.M.D., Member
Jennifer Braster, Member
Merle Lok, Executive Director

**STATE OF NEVADA
BOARD OF ORIENTAL MEDICINE**

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*****PUBLIC NOTICE***
REGULAR BOARD MEETING AND PUBLIC HEARING
May 21, 2024 @ 6:30 PM
Via Zoom and teleconference**

*****MINUTES*****

Board Staff:

Merle Lok, Executive Director
Henna Rasul, Senior Deputy AG

Public:

Yong Chen
Laura Fink-Soto
Youn Harroll
Fiona Kelley
Joshua Lorenzano
Victoria Simons

1. Introduction – Open Public Hearing

Dr. Nation opened the public hearing and stated that the proposed regulations relate to Oriental medicine as follows: reduce fees for license renewal, reduce fees for application, reduce state exam fees, add a reduced license renewal fee for military members and spouses, Oriental Medical Schools of out-of-state licensees are automatically deemed approved with or without accreditation from ACAHM, formerly known as ACAOM, add language to extend time to submit CEUs for renewal, eliminate chemistry and biochemistry as core educational requirements, eliminate replacement pocket license fees, eliminate temporary certificate for lecturing or training fees, eliminate copies of chapter fees and eliminate copy fees.

2. Public Comment

The following are a summary of the public comments:

Dr. Harroll questions replacing the word “Oriental” with the word “Herbal” in the organization Accreditation Commission for Acupuncture and Oriental Medicine in NAC634A.035. Dr. Nation states that the word “Herbal” is simply updating the organization’s name. Dr. Fink-Soto questions removing chemistry or biochemistry as a pre-requisite to licensing in NAC634A.080(4)(b). Dr. Nation also questions the removal of these subjects but added that these subjects already may be required by the OM schools. Dr. Ferris states that perhaps the requirements paragraph should be removed as a national organization already regulates the OM schools’ curriculum. Dr. Zhang states that biochemistry is important for pharmacology and patient treatment. There was additional discussion about the importance of chemistry and biochemistry and ensuring a comprehensive education. SDAG Rasul states that any changes to the proposed regulations would have to be workshopped again as these changes are material. Dr. Nation states that the language in NAC634A.135 is clunky but it allows for CEUs taken in January before the deadline of January 31. Dr. Nation states that there are several fee reductions and eliminations in NAC634.165. There is discussion about whether the fees for renewal could be lowered to \$500 as it is lower in other states and other medical professionals like nurses pay less. Dr. Nation states that Nevada’s higher fees are due to the small number of licensees compared to other states and other medical professionals like nurses. ED states that the proposed reduction to \$600 is a trial to see if it affects the Board’s budget and the reductions can be re-visited in the future as the number of licensees increase. Dr. Nation states that NAC634A.125 is being eliminated with the rationale that if someone is teaching for CEU credit, they would need Board approval anyway. There is discussion that clarifies that if there was no CEU credit involved, then the teaching would be a private seminar between the licensee and non-licensee and the Board would not be involved. Dr. Zhang questions if someone could needle patients while claiming to be teaching without the temporary certificate. ED states that the non-licensee would be treated as if the non-licensee is practicing without a license.

3. Close Public Hearing

Dr. Nation closed the public hearing after there are no more public comments.

BOARD MEETING AGENDA

1. Call to Order, Roll Call, and Establish Quorum.

Angela Nation, OMD, President called this meeting to order, conducted roll call and established the presence of a quorum. The following Board Members were present:

Dr. Michael Ferris, Dr. Huiwen Zhang, Dr. Angela Nation, Dr. Sanghyun Lee, and Ms. Jennifer Braster.

2. Public Comment.

None.

3. Review, discussion, and possible action of the minutes for the 3/26/2024 board meeting (For Possible Action).

Motion: Dr. Ferris moves to approve

Second: Dr. Zhang

The motion is approved unanimously.

4. Review, discussion, and possible action of granting the OMD license to the following applicants:

A. Byungsuk Alex Kong;

B. Arnaldo Oliveira;

C. Amanda Schultz;

D. Victoria Simons; and

E. Teresa Thissen

(For Possible Action).

ED states that the applicants have satisfied the requirements for OMD licensure and have passed the state licensing exam.

Motion: Dr. Zhang moves to approve

Second: Dr. Ferris

The motion is approved unanimously.

5. LCB File No. R024-24 - Consideration of Public Comments (For Possible Action).

Dr. Nation states that the only consideration left is whether to take out the chemistry or biochemistry requirement. Dr. Fink-Soto states that she objects to taking out the chemistry or biochemistry requirement as it is important when speaking to physicians in their language, and in understanding pharmacology and physiology. Dr. Nation states that the Board can re-visit this matter if necessary, at a future workshop.

6. Consideration of Adoption of Regulations regarding LCB File No. R024-24 (For Possible Action).

Motion: Ms. Braster moves to approve

Second: Dr. Ferris

The motion is approved unanimously.

7. Review, discussion, and possible action for the state licensure exam being held on 6/29/2024 to be administered by Dr. Sandip Thanki at 4350 E. Sunset Road, Ste 107A, Henderson, NV 89014 at the rate of \$50 per hour (For Possible Action).

Motion: Dr. Zhang moves to approve

Second: Dr. Lee

The motion is approved unanimously.

8. Review, discussion, and possible action of allowing the following applicants to take the state licensing exam on 6/29/2024:

A. Tracie Endelson, subject to receiving fingerprint results without any issues prior to the next exam; and

B. Socheata Pann

(For Possible Action).

Motion: Ms. Braster moves to approve

Second: Dr. Ferris

The motion is approved unanimously.

9. Approve or disapprove of NOMA's online CEU titled Mastering Clinical Master Tung's Acupuncture for NOMA for 8 credits instructed by Robert Chu (For Possible Action).

Motion: Dr. Ferris moves to approve

Second: Dr. Zhang

The motion is approved unanimously.

10. Approve or disapprove of Dr. Michael Kerrigan's online CEU titled Treatment of Anxiety with Chinese Medicine for 15 credits instructed by Giovanni Maciocia (For Possible Action).

Motion: Dr. Ferris moves to approve

Second: Dr. Zhang

The motion is approved unanimously.

11. Approve or disapprove of Dr. David Edge’s online CEU titled Acupoint Regenerative Therapies for 24 credits sponsored by Alpine Wellness Center (For Possible Action).

Dr. Ferris states that the credits should be limited to 20 credits due to the carryover limit of 10 credits.

Motion: Dr. Ferris moves to approve the CEU with 20 credits

Second: Dr. Zhang

The motion is approved unanimously.

12. Review, discussion and possible action for a Board policy regarding re-using needles with sterilization (For Possible Action).

ED states that she would like a Board policy regarding whether only disposal needles should be used or whether a licensee can re-use needles with sterilization. SDAG Rasul states that this matter needs to be addressed in a regulation because it is mandating and possibly prohibiting behavior. Dr. Lee states that only disposable needles should be used. Dr. Nation states that it could be a matter for OSHA. No action was taken on this matter.

13. Review, discussion and possible action regarding Language Access Program (For Possible Action).

ED state that there is new legislation about language assistance. The Office for New Americans is coordinating with the boards and agencies throughout Nevada to provide access to information for people who need assistance with the English language and people with physical disabilities. ED has put together a proposed plan to hire interpreters as needed. ED plans to send out the proposed plan to the licensees and the public to solicitate input. There is also funding available but ED does not believe that it is necessary as there has only been once instance where ED had to hire an interpreter. ED states that the applicants are highly educated and the people who contact her have the ability to read and write English.

Motion: Dr. Ferris moves to approve

Second: Dr. Zhang

The motion is approved unanimously.

14. Update regarding Livescan fingerprints in Nevada sites for applicants (For Discussion Only).

ED states that the Board can offer Livescan to the applicants where their fingerprints and payments for their fingerprints processing will be collected at the Nevada fingerprint sites and sent directly to DPS. Livescan does not let the applicants jump the line but it will cut down on the mailing time.

15. Review, discussion, and possible action regarding investing Board's funds in CDs with various expiration dates with First Independent Bank (For Possible Action).

ED states that Wells Fargo did not provide the correct information about the CD rates for the Board which has a government account. ED states that another Board referred her to First Independent Bank for CDs with interest rates for 3 months at 5% and 5 months at 4.75%. Ms. Braster states that the Board was going to deposit 3 tranches of \$60,000 into 3 CDs with Wells Fargo at the last meeting. ED states that the Board could deposit \$90,000 in the 3-month CD and \$90,000 in the 5-month CD. Dr. Zhang states that there might be a possibility that the Board may get a higher interest rate if the deposit was over \$100,000. ED states that there will be 3 signers consisting of Angela Nation, Michael Ferris and Merle Lok.

Motion: Dr. Braster moves to approve \$90,000 in the 3-month CD and \$90,000 in the 5-month CD unless there is a higher interest rate for over \$100,000 deposit

Second: Dr. Ferris

The motion is approved unanimously.

16. Update from the Treasurer regarding Board accounts and other matters (For Discussion only).

Dr. Ferris states that the account looks fine.

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

Dr. Nation states that the next meeting will be on 7/11/2024 at 6 p.m.

Motion: Dr. Nation moves to approve

Second: Dr. Ferris

The motion is approved unanimously.

18. Public Comment.

Dr. Kelley states that according to the Clean Needle Technique Manual of 1968, only disposable needles should be used. This is how the US avoided the hepatitis outbreak that occurred in China. Dr. Kelley states that it is the national law.

19. Adjournment.

Dr. Nation calls for meeting adjournment.

The minutes have been approved.