



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

*****PUBLIC NOTICE*****

BOARD MEETING

March 19, 2024 @ 5:30 PM

AT THE FOLLOWING LOCATION:

***Nevada State Board of Osteopathic Medicine ~ Conference Room
2275 Corporate Circle, Suite 210
Henderson, NV 89074***

To join by Video/Teleconference on your computer, mobile app or room device:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MTQ4ODZjNWEtMzk1OC00MjZkLTlZTtNDg4N2U4ZmE1N2E0%40thread.v2/0?context=%7b%22id%22%3a%22e4a340e6-b89e-4e68-8eaa-1544d2703980%22%2c%22oid%22%3a%2205628d65-31b9-47d5-9114-70d3f53bf58d%22%7d

To join by Meeting ID through Microsoft Teams:

Meeting ID: 278 690 014 377

Passcode: mU2TMK

Or to join by telephone (audio only):

Audio Conference Number: +1 775-321-6111

Phone Conference ID: 449 172 126#

Please Note: The Board may take action on any agenda item delineated for action (discussion /for possible action); likewise, no action may take place on non-agenda items, including public proposals.

A (+) plus sign preceding an agenda item signifies that if the matter is an action item, in certain situations, the option exists to declare the meeting on that agenda item to be a Closed (Executive) Session per NRS 241.030.

All information or documents supplementing agenda items that are not otherwise confidential will be available in limited quantity at the board meeting office.

***** MINUTES *****

I. CALL TO ORDER (Discussion/ For Possible Action) Carla Perlotto, President

Roll call to determine presence of a quorum. A quorum was present:

Swadeep Nigam, MSc, MBA, Public Member

Paul Janda, D.O.

Jaldeep Daulat, D.O.

Carla Perlotto, PhD

Nasim McDermott, D.O.

Andrea Weed, D.O.

Billie Casse, D.O.

Board Staff present:

Frank DiMaggio, Executive Director

Carolyn Klein, Administrative Assistant

Richard Dreitzer, Esq., Board Counsel

Public:

Susan Fisher, McDonald Carano

Cassidy Wilson, McDonald Carano

II. PUBLIC COMMENT

NOTE: *Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the board may refuse to consider public comment. See NRS 233B.126.*

There were no public comments.

III. APPROVAL OF MINUTES (Discussion/For Possible Action) Carla Perlotto, President

a. *Board Open Minutes from February 13, 2024*-Dr. Janda made a motion to approve the Board open meeting minutes from February 13, 2024; seconded by Dr. McDermott. There being no further discussion, the Board open meeting minutes from February 13, 2024, were approved by the Board.

b. *Board Closed Minutes from February 13, 2024*-Mr. Nigam made a motion to approve the Board closed meeting minutes from February 13, 2024; seconded by Dr. McDermott. There being no further discussion, the Board closed meeting minutes from February 13, 2024, were approved by the Board.

IV. CONSENT AGENDA TO GRANT LICENSURE FOR OSTEOPATHIC PHYSICIANS AND PHYSICIAN ASSISTANTS (Discussion/ For Possible Action) Carla Perlotto, President

Under this item the Board may consider the recommendations of the Executive Director and/or President/Vice President to grant licensure to the below listed applicants. The Board may remove any applicant's name from the consent motion but may not discuss the contents of the application for licensure without the applicant present following proper notice pursuant to the open meeting law.

Osteopathic Physician Name

Matthew Brockway, D.O.

Taylor Campbell, D.O.

Camille de Vera, D.O.

Elizabeth Emberley, D.O.

Danielle Garner, D.O.

Shawna Gelormino, D.O.

Andy He, D.O.

Nathan Jones, D.O.

Michael Luu, D.O.

Seth Minton, D.O.

Holly Nguyen, D.O.

Christopher Richards, D.O.

Jarad Schwartz, D.O.

Richard Smith, D.O.

Rebeka Stephen, D.O.

Scott Stoughton, D.O.

Specialty

Internal Medicine

Neurology

Internal Medicine

OB/GYN

Emergency Medicine

Emergency Medicine

Internal Medicine

Radiation, Oncology

Anesthesiology

OB/GYN

Internal Medicine

Emergency Medicine

Family Medicine/OMT

Psychiatry

Emergency Medicine

Emergency Medicine

<i>Physician Assistant Name</i>	<i>Supervising Physician</i>
Saadia Akhtar, PA-C	Justin Heath, D.O.
Bernadette Bartolome, PA-C	Joel Abbott, D.O.
Joan Carapucci, PA-C	Lindy Lay, D.O.
Sammy Feng, PA-C	Active – Not Working
Justine Ipac, PA-C	Active – Not Working
Max Matheson, PA-C	Stephen DuMontier, D.O.
Gavin Pope, PA-C	Brock Kitchen, D.O.
Skylar Rackham, PA-C	Bret Boyle, D.O.
Magdeline Riemenschneider, PA-C	Daniel Krauchuk, D.O.
Daniel Smith, PA-C	Active – Not Working
Rodezza Tabano, PA-C	Active – Not Working
Justine Wang, PA-C	Active – Not Working

Dr. McDermott made a motion to approve the licenses for the applicants as written above; seconded by Mr. Nigam. There being no further discussion, the Board unanimously approved licensure for the applicants as written above.

- V. **+CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT AND ORDER REGARDING MATTHEW DIKIN, D.O.,** (Board may move to go into closed session pursuant to NRS 241.030 because the discussion will have to do with this applicant's character, alleged misconduct, professional competence, or similar items) (**Discussion/For Possible Action**) Carla Perlotto, President

Mr. Dreitzer stated that there is a proposed settlement agreement for Dr. Dikin's counsel, however because of circumstances Dr. Dikin's counsel was not in a position to give approval of the proposed settlement agreement. Mr. Dreitzer hopes that this matter will be considered at the Board's April meeting, and he would like to table this matter until then.

Dr. Perlotto stated that this agenda item is tabled until the April 2024 Board meeting.

- VI. **+CONSIDERATION/APPROVAL OF SETTLEMENT AGREEMENT AND ORDER REGARDING KEVIN SLAUGHTER, D.O.,** (Board may move to go into closed session pursuant to NRS 241.030 because the discussion will have to do with this applicant's character, alleged misconduct, professional competence, or similar items) (**Discussion/For Possible Action**) Carla Perlotto, President

Mr. Dreitzer stated that we have approval from Dr. Slaughter's counsel regarding the language of the proposed settlement agreement; however, Dr. Slaughter has had an illness and his counsel has not had a chance to get with him to sign off on the proposed settlement agreement. Mr. Dreitzer asked that this item also be put on the agenda for the Board's April meeting.

Dr. Perlotto stated that this agenda item is tabled until the April 2024 Board meeting.

- VII. **DISCUSSION/CONSIDERATION/POSSIBLE ACTION REGARDING CHANGE(S) TO BOARD MEETING DATES AND/OR TIMES** (**Discussion/For Possible Action**) Carla Perlotto, President

Dr. Perlotto stated for many years the Board meeting has been held on the second Tuesday of each month (except July) at 5:30 pm and wanted to provide Board members with alternative choices. One option would be to keep the Board meeting as is on the second Tuesday of every month at 5:30 pm or move it to 6:00pm on the second Tuesday of every month. Another option would be to move the Board meeting day from Tuesday to Thursday at 5:30pm or 6:00pm.

Another matter is that currently there is no Board meeting in July, but there is the option to change that so that there is no Board meeting in August of every year. One reason to move the “no meeting” month to August is that there are out of state residents who are applying for licensure that could begin working in July but they could not get all the required paperwork submitted in time for the June Board meeting, which would mean that they would have to wait until August to get their licenses as there is no Board meeting in July. Whereas if the Board conducted a meeting in July of every year and instead had no meeting in August, those out of state residents could possibly be approved at the July Board meeting. Dr. Perlotto asked Board members if they had any preferences.

After receiving comments and suggestions from Board members, Dr. Perlotto made a motion to keep the Board meetings on the second Tuesday of the month at 5:30pm; seconded by Dr. McDermott. There being no further discussion, the Board unanimously approved having the Board meeting on the second Tuesday of the month at 5:30pm.

Dr. Perlotto made a motion to conduct a Board meeting in July of every year and to have no Board meeting in August of every year; seconded by Dr. Casse. There being no further discussion, the Board unanimously approved of conducting a Board meeting in July of every year and of not conducting a Board meeting in August of every year.

Accordingly, Board meetings will be held on the second Tuesday of every month, except the month of August, beginning at 5:30 p.m.

VIII. DISCUSSION/CONSIDERATION/POSSIBLE ACTION REGARDING APPROVAL OF AN AMENDED OR REVISED BOARD PTO POLICY (Discussion/For Possible Action)

Carla Perlotto, President

Dr. Perlotto stated that this agenda item was tabled from the last meeting to provide time to do some research on what the Nevada State employee handbook provides regarding annual/sick leave versus what the Board’s employee handbook provides regarding PTO. After considering the results of the research, Dr. Perlotto stated that there are two changes that the Board may wish to consider to the existing PTO policy for staff.

The first proposed change is that the employees would receive an increase of sixteen (16) hours to carry over at the end of the year for each of the three different employment periods. The staff are currently able to carry over up to twenty-four (24) hours of PTO to the next year if they have worked three years or less; if they have worked from three years to eight years, staff are currently able to carry over up to thirty-two (32) hours of PTO to the next year; and if they worked for eight years or more, they are currently able to carry over up to forty (40) hours of PTO to the next year.

The second proposed change is that the employees would receive an extra three days of PTO leave per year. If the employee has worked three years or less, this proposed change would increase the annual PTO to eighteen (18) days; if the employee has worked from three years to eight years, this proposed change would increase the annual PTO to twenty-one (21) days; and if the employee has worked eight years or more, this proposed change would increase the annual PTO to twenty-four (24) days.

After discussion by Board members, Mr. Nigam made a motion to approve an additional three days of annual PTO leave for each of the three different employment periods and to approve an increase of up to an additional twenty-four (24) hours to carry over at the end of the year in each of the three different employment periods; seconded by Dr. Weed. There being no further discussion, the Board unanimously approved an additional three days of annual PTO leave for each of the three different employment periods and approved an increase of up to an additional

twenty-four (24) hours to carry over at the end of the year in each of the three different employment periods.

IX. EXECUTIVE DIRECTOR'S REPORT by Frank DiMaggio

Executive Director Frank DiMaggio stated that he had sent an email to the Board members within the last month regarding a new continuing medical education (CME) requirement that was created by the passage and signing into law of Senate Bill 439. This new law requires certain DO's and certain PA's who are licensed by our Board to complete at least two hours of training in the stigma, discrimination and unrecognized bias toward person who have acquired or at risk of acquiring human immunodeficiency virus (HIV). This new law is effective January 1, 2024. Some of these new CME provisions pertain to certain DOs and PAs who either provide or supervise emergency medical services in a hospital or who are primary care physicians. Primary care is defined as OB/GYN, family medicine, internal medicine, midwifery, and pediatrics. The law says that at the first application that a DO or PA files after January 1, 2024, to renew his or her license, the licensees affected by this new law must have completed that new two hour CME training requirement. If you are such a licensee who is not currently in EMS nor in primary care but then you switch to one of those two covered areas, such a licensee has two years within which to comply with getting those two hours of HIV training. Executive Director DiMaggio stated that this requirement has been posted to our website and he will include it in the Board's upcoming newsletter. Also since this is a public meeting, he wanted to make this information as widely known as possible.

Executive Director Frank DiMaggio stated that the first application for DO and PAs is going to be the renewal period beginning January 1, 2025 renewal. This new CME training requirement will need to be completed in the year 2024 and such licensees should upload their CME completion certificate into their portal on the Board's website for the Board to review for the 2025 license. Executive Director Frank DiMaggio believes NOMA is working on possibly obtaining a speaker for their annual conference that will cover this new two-hour CME training requirement.

Dr. Perlotto wanted to know if there is something that Board staff can do to facilitate this for physicians and wanted to know whether the Thentia licensing system contains information as to what specific CME hours are required for licensees.

Executive Director DiMaggio stated that whenever a licensee logs into the Thentia licensing system through our website, there is a CME portal and it lists all the requirements and when they are to be completed by for each particular license type. Thentia does not tell the licensee what information each licensee must upload but rather tells licensees what CME is required, so it is up to each licensee to comply and upload the required CME certificates. If a licensee is audited and Board staff does not find the required CME certificates uploaded to the portal for that particular requirement, then Board staff will notify the licensee.

Executive Director DiMaggio stated that on the Board's website, on the HOME page, a licensee can click on "CME Requirements" to find out the required annual CME requirements for each license type. Executive Director DiMaggio stated he is open to ideas to make it easier.

Dr. Perlotto stated that having it on the HOME page across the top banner of our website and/or in a drop-down menu under "Licensee Services" might make it easier to find or at least make it more visually easier to digest.

Mr. Dreitzer stated that if there is a group or someone that can put on a free CME training session regarding this new CME training requirement, it usually gets people acclimated to the

idea which will acquaint licensees with the content and relieve licensees' concerns about cost and availability.

Dr. Casse stated that she can ask NOMA if they would be willing to do something like this.

Executive Director DiMaggio stated that he has spoken to Dr. Lok of NOMA about it, and Dr. Lok said he was trying to possibly put some training in place regarding this new CME training requirement for the NOMA annual conference. Mr. DiMaggio stated that they did not speak about NOMA sponsoring free training.

Discussion was had by Board members regarding this new CME training requirement.

Executive Director DiMaggio stated that he uploaded the financial reports into the Board packet materials and if anyone had any questions or concerns, he would try to answer them. Executive Director DiMaggio also stated that we consistently are gaining new licensees.

Mr. Nigam stated that financially we are doing very well but he noticed that our contractual services costs have skyrocketed and wanted to know if it was due to legal or information technology costs. The contractual services are showing \$70,000 compared to last year, which was close to \$40,000.00.

Executive Director Frank DiMaggio stated that part of it has to do with the costs associated with the Thentia and EITS contracts.

X. *LEGAL REPORT (Discussion/For Possible Action) by Richard Dreitzer (Fennemore Craig, LLC) Board Counsel*

Mr. Dreitzer stated that there are two disciplinary matters that are on the verge of resolution and possibly several more behind it. There is also a formal complaint that has been drafted and the Board will start seeing an uptick in disciplinary matters on the Board's agenda. Mr. Dreitzer also stated that he has been on the phone with staff at the LCB about our proposed regulatory deletions and proposed new regulations. The Board has responded to some concerns from the LCB after speaking with Executive Director Frank DiMaggio, and everything is now awaiting LCB's draft of regulations.

XI. *LEGISLATIVE UPDATE (Discussion/For Possible Action) by Susan Fisher, Board Government Affairs/Lobbyist*

Ms. Cassidy Wilson of McDonald Carano stated that she attended a kick-off meeting of the Southern Nevada Forum. Discussion was had about workforce shortages, the Nurse Licensure Compact, physician shortages, and how there are not enough teachers in the classroom to teach these different workforce fields such as nursing. The next meeting will be in April at the Las Vegas City Hall.

Ms. Fisher stated that the Southern Nevada Forum is bipartisan group of legislators. It is coordinated by the Las Vegas Chamber and all the local governments are involved as well. Ms. Fisher also stated that Ms. Wilson will be meeting with legislators which gives them the opportunity to talk about the Board's issues and build those relationships for the next legislative session.

XII. *ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA*

No items were submitted for future discussion/upcoming agenda.

XIII. *PRESIDENT'S REPORT on Board Business, Carla Perlotto, President*

- a. *Next Board Meeting date-* Dr. Perlotto stated that the next Board meeting will be April 9, 2024, at 5:30 pm.

XIV. PUBLIC COMMENT

Dr. Weed wanted to know if was possible to get the other Board members' contact information just in case they can't reach Executive Director Frank DiMaggio.

Executive Director DiMaggio asked Mr. Dreitzer' s opinion on supplying Board members with email addresses and phone numbers of all the Board members.

Mr. Dreitzer stated that his recommendation is to not provide that information to Board members. One possible reason not to do so is if someone accuses the Board of some type of Open Meeting Law violation, the Board can respond that the Board members do not have each other's contact information.

Dr. Perlotto wanted to know if there was a chain of command and if for some reason Executive Director DiMaggio was taken out of the loop for a moment who would she reach out to?

Executive Director Frank DiMaggio stated to reach out to Board staff, Carrie Klein and she will forward it to the correct person for a response. Executive Director DiMaggio also stated that staff does know his private cell phone number and he is not averse to sharing it with any or all Board members.

Dr. Perlotto asked Mr. Dreitzer if he could give an Open Meetings Law refresher because some of the Board members are going to FSMB and will be seeing each other outside the context of the Board meeting.

Mr. Dreitzer stated that Board members may not discuss Board business outside of the Board meeting. He said to be aware to the fact that we have seven Board members and if four Board members get together and decide something, there has been a Board meeting and that contact can be on an email, by phone, or in a conversation.

XV. ADJOURNMENT (For Possible Action) Carla Perlotto, President

Dr. McDermott made a motion to adjourn the Board meeting; seconded by Dr. Perlotto. There being no further discussion, the board approved adjourning the Board meeting.

Disclaimer: Minutes posted but not approved by the Board.