



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

****PUBLIC NOTICE****

BOARD MEETING

May 14, 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, Control+Click:

https://teams.microsoft.com/l/meetup-join/19%3ameeting_MDRkMDI4MjEtNjQwMS00Y2NhLWE1OGItNTM1Yzc4NDYyMWFm%40thread.v2/0?context=%7b%22Tid%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: 271 693 404 27

Passcode: SLJ92n

Or to join by telephone (audio only):

Audio Conference Number: +1 775-321-6111

Phone Conference ID: 436 660 271#

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 as follows:
- Swadeep Nigam, MSc, MBA
 - Paul Janda, D.O.
 - Jaldeep Daulat, D.O.
 - Carla Perlotto, PhD
 - Nasim McDermott, D.O.
 - Andrea Weed, D.O.

Board Staff present:

Frank DiMaggio, Executive Director
Clayton Bailey, Board Investigator
Richard Dreitzer, Esq., Board Counsel

Public:

Mark Chase, PRN
Joey Gilbert, Esq.
Matthew Dikin, DO
Lyn Beggs, Esq.
Nicole Krishnaswami, Executive Director, Oregon Medical Board
Dominque Katona, Nevada Academy of Physician Assistants

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 April 9, 2024-* Mr. Nigam made a motion to approve the Board open meeting minutes from April 9, 2024; seconded by Dr. McDermott. There being no further discussion, the Board open meeting minutes from April 9, 2024, were unanimously approved by the Board.
- b. *Board Closed Minutes from April 9, 2024-* Mr. Nigam made a motion to approve the Board closed meeting minutes from April 9, 2024; seconded by Dr. McDermott. There being no further discussion, the Board closed meeting minutes from April 9, 2024, were unanimously approved by the Board.

IV. CONSENT AGENDA TO GRANT LICENSURE FOR OSTEOPATHIC PHYSICIANS AND PHYSICIAN ASSISTANTS, AND SPECIAL LICENSES, AND TO GRANT RESTORATION OF LICENSES (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.

<i>Osteopathic Physician Name</i>	<i>Specialty</i>
<i>Zoe Gauthier, D.O.</i>	<i>OB/GYN</i>
<i>Natalie Gilbert, D.O.</i>	<i>Emergency Medicine</i>
<i>Alin Gragossian, D.O.</i>	<i>Emergency Medicine</i>
<i>Sterling Hahn, D.O.</i>	<i>Psychiatry</i>
<i>Andrew Han, D.O.</i>	<i>Internal Medicine</i>
<i>Mary Hao, D.O.</i>	<i>Family Medicine</i>
<i>Nicholas Kalekas, D.O.</i>	<i>Anesthesiology</i>
<i>Cameron King, D.O.</i>	<i>Orthopedic Surgery</i>
<i>Michael Korczynski, D.O.</i>	<i>Radiology, Diagnostic</i>
<i>Christopher Lawler, D.O.</i>	<i>Emergency Medicine</i>
<i>Jaron Matsunaka, D.O.</i>	<i>Internal Medicine</i>
<i>Brandon McKinney, D.O.</i>	<i>Orthopedic Surgery</i>

Jace Melessa, D.O.
Firas Naji, D.O.
Forrest Orme, D.O.
Alexander Prevallet, D.O.
Christopher Rendina, D.O.
Eric Rigg, D.O.
Louis Sulit, D.O.
McKenzie Wilson, D.O.

Anesthesiology
Internal Medicine
Internal Medicine
Internal Medicine
Anesthesiology
Anesthesiology
Internal Medicine
Psychiatry

Physician Assistant Name

Katlin Mahmood, PA-C
Jesus Martinez, PA-C
Mikayla Michalsky, PA-C
Karissa Sampson, PA-C
Tori Shen, PA-C

Supervising Physician

Michael Wilson, D.O.
Active-Not Working
Active-Not Working
Active-Not Working
Active- Not Working

Effective 07/01/2024

Special Licenses NRS.633.411

Roshan Pillai, D.O.
Hannah Skendziel, D.O.

UNR – Psychiatry
UNLV SOM – Family Medicine

Restoration of License

David Marquis, D.O.

Specialty

Emergency Medicine

Dr. McDermott made a motion to approve the licenses for the applicants as written above; seconded by Dr. Janda. 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**) Andrea Weed, D.O., Vice President

Dr. Janda made a motion to go into closed session; seconded by Mr. Nigam. There being no further discussion, the Board approved going into closed session for this matter, at which time the Board took up this matter in closed session.

Upon returning to open session, Dr. Janda made a motion to accept the Settlement Agreement and Order as proposed; seconded by Mr. Nigam. Dr. Perlotto stated she will abstain from the vote as she was the Investigating Board Member in this matter. There being no further discussion, the Board approved the Settlement Agreement and Order as proposed.

- 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

Dr. Janda made a motion to go into closed session; seconded by Dr. McDermott. There being no further discussion, the Board approved going into closed session for this matter, at which time the Board took up this matter in closed session.

Upon returning to open session, Dr. McDermott made a motion to accept both proposed Settlement Agreements and Orders with the addition provision that the \$11,000.00 owed be

paid by Dr. Slaughter in two installments, \$5,500.00 within thirty days and the second \$5,500.00 within thirty days after that for a total of \$11,000.00; seconded by Dr. Weed. Dr. Daulat stated he will abstain from the vote as he was the Investigating Board member. There being no further discussion, the Board unanimously approved both Settlement Agreements and Orders with the provision that the \$11,000.00 owed be paid by Dr. Slaughter in two installments, \$5,500.00 within thirty days and the second \$5,500.00 within thirty days after that for a total of \$11,000.00.

VII. DISCUSSION/POSSIBLE ACTION OF APPROVING BOARD MEMBERSHIP IN THE INTERNATIONAL ASSOCIATION OF MEDICAL REGULATORY AUTHORITIES (IAMRA), (Discussion/For Possible Action) Carla Perlotto, President

a. Nicole Krishnaswami, Chair-elect IAMRA and Executive Director Oregon Medical Board

Ms. Nicole Krishnaswami stated that IAMRA stands for “International Association of Medical Regulatory Authorities” and she is the chair elect. IAMRA has 113 members and partners from 47 countries. The vision of IAMRA is that everyone around the world is treated and cared for by safe and competent doctors and the purpose is to promote effective medical regulation worldwide supporting best practices. They share best practices among those in highly developed countries as well as sharing resources for those in low- and middle-income countries. There are three main pillars of IAMRA’s strategic plan for the upcoming two years. One is assuring a safe and competent globally mobile workforce. Two is to position themselves as regulatory thought leaders, and three is members’ support. One recent accomplishment at IAMRA is that they recently entered into a historic collaboration with the World Health Organization, signing a memorandum of understanding. IAMRA will be hosting an AI symposium in September 2024, and they provide webinars every quarter. Some of the membership benefits will include linking with international colleagues, able to attend IAMRA events such as webinars and conferences, having access to PIE (the Physician Information Exchange), access to the IAMRA website, and the being part of the members’ general assembly.

Executive Director Frank DiMaggio asked Ms. Krishnaswami what the membership fee would be for the Board to join IAMRA. Ms. Krishnaswami stated it is \$1,133.00 for the year. That will include all benefits not including the registration fee if you attend the symposium or the biennial conference. Executive Director DiMaggio wanted to know if the past webinars will be available to listen to on the IAMRA website. Ms. Krishnaswami stated that past webinars are archived and will be available once you become a member.

Ms. Krishnaswami stated that the conversation for Osteopathic Medicine has been important at the IAMRA level and there are several countries including the continent of Africa talking about how they are going to start regulating and licensing Doctors of Osteopathic Medicine.

Dr. Perlotto wanted to know if there was any talk or goal to have a global license for Osteopathic Medicine. Ms. Krishnaswami stated that there is talk about the international movement of physicians and how we are doing that in a responsible manner.

Mr. Dreitzer wanted to know if that IAMRA has something similar to the National Practitioner Data Bank (NPDB) and if integration of that information is a priority for IAMRA. Ms. Krishnaswami stated that they have PIE and the challenge with that is it is voluntary right now; they don’t have the federal regulation like NPDB has.

Dr. Perlotto wanted to know how many States Medical Boards have joined IAMRA. Per Ms. Krishnaswami eleven states have joined IAMRA and there are organizations like ABMS and

AOA that have also joined IAMRA.

Dr. Weed wanted to know what Executive Director DiMaggio thoughts were on joining IAMRA. Executive Director DiMaggio stated that it would be an excellent organization to join because the growth and the expanding possibility of international medical graduates and physicians who are licensed overseas coming to the United States.

Dr. Weed made a motion to join IAMRA; seconded by Mr. Nigam. There being no further discussion, the Board unanimously approved membership in IAMRA.

VIII. DISCUSSION/POSSIBLE ACTION OF APPROVING CONTRACT FOR AUDITING SERVICES WITH WATKINS JACKSON CPAs, (Discussion/For Possible Action) Carla Perlotto, President

Executive Director DiMaggio stated that we have had a contract with Watkins Jackson CPAs for auditing for approximately the last four to six years. Their contract has been a two-year contract, and the current contract expires June 30, 2024. There is an engagement letter dated May 7, 2024, from Jason Watkins. In the new two-year contract, they have raised their fees. Currently it's \$13,000.00 per year which is a total of \$26,000.00 for the two-year period. The new total will now be \$36,000.00 in two years, \$17,000.00 for the first year and \$19,000.00 for the second year ending on June 30, 2025. The matter is being brought up to for the Board's attention and consideration to either approve Watkins Jackson CPAs upcoming contract to begin July 1, 2024, for the next two years, or to request more bids for auditing services. Executive Director DiMaggio mentioned that he was not made aware of the increase until the May 7th letter from Jason Watkins.

Dr. Weed commented that it seems like a very large cost for an organization that does not have very complicated books and we should at least get one or two other bids to see if they're in the ballpark.

Mr. Dreitzer wanted to know if there was a certain number of CPA firms or audit firms that handle audits of public entities and if that is why they can charge such a high price. Executive Director DiMaggio stated that when he did receive the information about the price increase, he did reach out to another major accounting firm, and they responded that they are not taking on anymore Board audits at this time and they are not interested in supplying a bid.

Dr. Perlotto asked Mr. Nigam if he had any thoughts on this issue. Mr. Nigam stated that he is not aware of the going fees for an audit at this time, but he does agree we are not a very complex accounting or financial institution. Mr. Nigam also stated that there may be some smaller CPA firms or new firms just starting out and that we may get better pricing from them, but he is not sure of the quality of work we will get from them. Dr. Perlotto wanted to know if Executive Director DiMaggio would be able to reach out to other Board Executive Directors and have a conversation with them about these costs and services. Executive Director DiMaggio asked if Dr. Perlotto wanted to table this matter until the next meeting and he would in the interim attempt to get as much information to present to the Board about our options at the next meeting. Dr. Perlotto agreed with Executive Director DiMaggio stating we do not have enough information at this time to make a good decision.

Dr. Perlotto stated that this agenda item number eight is tabled for further consideration at the Board's next meeting.

IX. CONSIDERATION/POSSIBLE APPROVAL OF APPOINTMENT OF A HEARING OFFICER IN BOARD OF OSTEOPATHIC MEDICINE'S CASE NUMBERS PB2101002 AND PB2303002 (Discussion/For Possible Action) Carla Perlotto, President

Executive Director DiMaggio stated that it was his understanding that for past hearings the Board has utilized a hearing officer and that this case is a complex one. The Board has a choice under NRS 633.660 and NAC 633.454 to appoint a hearing officer or a panel to preside over and conduct a hearing concerning disciplinary proceedings in the manner set forth in Chapter 622 NRS. If the Board does appoint a hearing officer or panel, the Board can revoke the appointment and assume responsibility for presiding over the matter or designate another hearing officer.

Mr. DiMaggio stated that the hearing officer that the Board has used in the past is an attorney by the name of Jill Greiner. Ms. Greiner has acted for the Nevada Medical Examiners Board as well as other Boards. Executive Director DiMaggio did reach out to Ms. Greiner to get some idea of her hourly rate and the processes involved to get her appointed.

Mr. Dreitzer stated that the value of appointing a hearing officer for this matter is that the Board does not have to devote its time and resources at a hearing delving into what could be a very complicated case. He opined that the Board would effectively be using a hearing officer as a subcontractor to handle something that is too cumbersome to deal with in the normal process.

Dr. Perlotto stated the alternative to hiring a hearing officer would be for the Board to hear the case themselves and they would have to be able to parse through all the different legal details and objections. On the other hand, a hearing officer would be somebody who has that expertise and can spend the time to carefully go through those matters.

Mr. Dreitzer stated that the person would adjudicate the case the same way the Board would, and issue orders and it would be identical to what the Board would do.

Executive Director DiMaggio stated that if the Board decides to hear the case, the Board is in essence acting as the judge. The Board would be ruling on motions, requests for continuance and things of a legal nature that a judge would handle.

Dr. Weed wanted to know the reason why the Board is doing this: is it because this case is complex, and the Board would need guidance so it can be moved forward in a timelier fashion. Dr. Weed wanted to know if this is like an arbitration where the expert is acting as the judge. Mr. Dreitzer stated that the hearing officer would function as a judicial officer the same way you would in front of a judge.

Executive Director DiMaggio wanted to know if the Board did decide to hear the case itself, given that there will be motions and requests for various legal things occurring during the hearing, would the Board need to hire counsel to advise them. Mr. Dreitzer stated that the answer would be “yes” because he would not be able to advise the Board if he is the one that is prosecuting and arguing the case; in that event, the Board will have to have a separate attorney to provide counsel to the Board.

Dr. Janda made a motion to hire Ms. Jill Greiner as the hearing officer in this matter; seconded by Dr. Weed. As Dr. McDermott is the Investigating Board Member in this matter, she stated that she will abstain from the vote. There being no further discussion, the Board unanimously approved hiring Ms. Jill Greiner as the hearing officer in this matter.

Dr. Perlotto stated that there was an outstanding question, and it is related to the cost and what Ms. Greiner rate would be. Ms. Greiner stated she told Executive Director DiMaggio that there is a range, and she has several different contracts with State agencies and that range starts at \$100.00 per hour and that she charges the Nevada Medical Board \$200.00 per hour. Ms. Greiner stated she will defer to the Board as to what she should be paid. Dr. Perlotto stated that

it would make sense to pay whatever the Medical Board is paying. Executive Director DiMaggio informed Ms. Greiner that the Board will need a number for the hourly rate to include on her paperwork. Ms. Greiner asked whether this was going to involve a one-day hearing or a five-day hearing. Mr. Dreitzer stated that it has the potential to be a multi-day hearing. Ms. Greiner stated that if the Board is agreeable, she will charge the Board the same amount as the Medical Board, then the rate would be \$200.00 per hour.

Mr. Nigam made a motion to approve Ms. Greiner's rate of \$200.00 per hour; seconded by Dr. Janda. Dr. McDermott abstained from the vote. There being no further discussion, the Board approved the rate of \$200.00 per hour for Ms. Greiner's service as a hearing officer.

X. EXECUTIVE DIRECTOR'S REPORT by Frank DiMaggio

Executive Director DiMaggio stated that in terms of licensing statistics, we continue to grow. We have 3,029 total licensees that includes both active and compact DO licenses as well as active and active not-working PA, inactive DO, DO special licenses, and temporary licenses. He stated that we are now starting to get resident licenses in and that will keep our Board President and Secretary Treasurer busy because those licenses go through them for approval. Executive Director DiMaggio stated that there is the profit loss and budget financials in the Board's materials and if anyone has questions, he will be happy to answer them.

Executive Director DiMaggio stated that both he and Dr. Perlotto attended the FSMB annual conference on April 18th to 20th, 2024. Executive Director DiMaggio also attended the AIM conference on April 17, 2024. Some of the important things that did occur at the annual conference is that the FSMB delegates voted to adopt several policies which may affect how Boards operate. The policies that they adopted and approved at the annual meeting include the guidelines for the structure and function of a state medical and osteopathic board. They also passed a policy regarding strategies for prescribing opioids for the management of pain, a position statement on access to evidence-based treatment for opioid use disorder, which supersedes their model policy on DATA 2000 and addiction treatment in the medical office. They also passed a policy regarding principles and recommendations regarding navigating the responsible and ethical incorporation of artificial intelligence into clinical practice and adopted pathways to licensure for international medical graduates. Executive Director DiMaggio stated that he will be attending an FSMB symposium in Washington, DC in mid-June of this year.

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

Mr. Dreitzer stated that there has been a flurry of disciplinary matters over the last couple of meetings and we have a large case that just had a hearing officer appointed by the Board. The legislative changes regarding anesthesiology assistants (AAs) are close to the finish line and there will be workshops soon.

XII. LEGISLATIVE UPDATE (Discussion/For Possible Action) by Cassidy Wilson, Board Government Affairs/Lobbyist

Executive Director DiMaggio read an email from Cassidy Wilson stating that there is a June primary election that is held on Tuesday, June 11, 2024, and early voting begins Saturday, May 25, 2024 and runs through Friday, June 7, 2024. This year the general election for 2024 will be held on Tuesday, November 5, 2024. Early voting begins on Saturday, October 19, 2024, and runs through Friday, November 1, 2024. Ms. Wilson is encouraging everyone to vote and the reason for this is there will be new legislators coming in because of the elections. Ms. Wilson stated that if the Board has any legislative priorities for the upcoming session in 2025, we need to get going sooner rather than later and now is the time to secure a legislative sponsor for any bills for which the Board is seeking support.

XIII. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

No items for future discussion.

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

Dr. Perlotto stated that she was grateful to be able to go to the FSNB Annual Conference this year and wanted to talk about some of the topics that were discussed. One main topic was workforce shortages, which is talked about all the time here in the State of Nevada; she mentioned what a tough spot Nevada is in and how those shortages are worldwide. Dr. Perlotto stated that Nicole Krishnaswami from IAMRA talked about New Zealand and how they have the process down to twenty days. Clearly, New Zealand must be getting physicians that are in the very beginning of their career or at the very end of their career and they are keeping them for couple of years. The second major topic was AI (Artificial Intelligence) and people are adding AI into their practice and the concern for us is patient care. AI has the potential to be compromised when people are using it inappropriately or over relying on AI to make decisions. Dr. Perlotto also stated that there is also the idea of being kind in medical regulation, not sending somebody a letter from the Board on a holiday and thinking about ways to do things in a supportive way. Another major topic is how we take care of our doctors. Because healthy doctors mean better care, which means better outcome for our patients. Dr. Perlotto also wants the Board to think about some things that we can do to support our physicians. The last topic Dr. Perlotto discussed was the unregulated treatment programs like IV hydration and ketamine clinics. Dr. Perlotto thinks that there needs to be a conversation with other Boards and talk with our legislators about putting in some laws or regulations and monitoring of these clinics.

Dr. Weed stated that she just read something stating California was looking at licensing medicinal mushrooms and that will come up along with ketamine. Dr. Weed also read an article in a journal about the fact that when physicians are working for telehealth companies their license somehow is being used to order controlled substances or place DEA orders and the physicians don't even know about it. Dr. Perlotto stated that it might be something to research and put into a newsletter as a warning or as a potential warning. Executive Director DiMaggio stated that it could be put into a future newsletter and that in the last newsletter he did add some information about licensees' obligations/duties to report misconduct and to timely complete death certificates and duties to report criminal actions to the Board.

- a. *Next Board Meeting date: June 11, 2024*-Dr Perlotto wanted to remind everyone that the next Board Meeting is June 11, 2024; and then we will have a July Board Meeting but no Board Meeting in August.

XV. PUBLIC COMMENT

There were no public comments.

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

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

Minutes approved by the Board at the June 11, 2024 Board Meeting.