



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

****PUBLIC NOTICE****

BOARD MEETING

November 12, 2025 @ 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_M2UxMWM5ZjOrZD.JhZS00Y2U2LTkxMzctNjNjNzEkZGJlNTMy%40thre%20ad.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: 213 715 474 132 4

Passcode: Q2VJ9Lw9

Or to join by telephone (audio only):

Audio Conference Number: +1 775-321-6111

Phone Conference ID: 732 004 477#

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 otherwise not 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.

Carla Perlotto, PhD

Andrea Weed, D.O.

Swadeep Nigam, MSc, MBA

Paul Janda, D.O.

Dean Polce, D.O.

Billie Casse, D.O.

Board Staff present:

Frank DiMaggio, Executive Director
Carrie Klein, Licensing Specialist Assistant
Krissi Lowry, Complaint/Administrative Assistant
Micheline Fairbank, Esq., Board Counsel
Joseph Ostunio, Deputy Attorney General

Public:

Sabrina Schnur
Cassidy Wilson, McDonald Carano
Dave Dazlich, McDonald Carano
Mark Chase
Matthew Dikin, D.O.
Mont Tanner, Esq.

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.*

No public comments were received.

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

a. Board Minutes from October 14, 2025

Mr. Nigam made a motion to approve the Board meeting minutes from October 14, 2025; seconded by Dr. Polce. There being no further discussion, the Board meeting minutes from October 14, 2025, were unanimously approved by the Board.

IV. LICENSURE RATIFICATION (Discussion/ For Possible Action) Carla Perlotto, President

Ratification of Licenses Issued, Reinstatement/Restoration of Licensure, Temporary Licenses, Special Licenses, and Changes of Licensure Status since the October 14, 2025 Board Meeting pertaining to the below license applicants.

Osteopathic Physician Name

Parneet Dhaliwal, D.O.
Bradley Goad, D.O.
Paulo Gonzalez, D.O.
Mark Greenhill, D.O.
Jacob Hattenbach, D.O.
Masood Rustemi, D.O.
Justin Roy Sanchez, D.O.
Mark Zubres, D.O.

Specialty

Pathology
Hospice and Palliative Care
Neurology
Radiology
Interventional Spine
Internal Medicine
Internal Medicine
Radiology

Physician Assistant Name

Alexander Metzger, PA-C
Joseph Pollino, PA-C
Briannon Yadrick, PA-C

Supervising Physician

Active – Not Working
Ralph Herbig, D.O.
Michael Crovetto, D.O.

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

V. *LEGISLATIVE UPDATE (Discussion/For Possible Action) by Dave Dazlich, Board Government Affairs/Lobbyist*

Mr. Dazlich provided an update on two legislative matters. First, he noted that the hearing for the proposed regulations from the Department of Business and Industry (B&I) has been rescheduled to November 25, 2025, at 1:00 PM due to a high volume of responses from various boards and stakeholders, including this board. The hearing was originally scheduled for the previous week.

Secondly, Mr. Dazlich informed the board that a special legislative session was officially proclaimed approximately 35 minutes prior to this meeting. The session will begin the following day and is expected to run through the weekend, concluding by November 16th, due to legislators' travel schedules. The session will address several items that did not pass during the regular session, including Senate Bill 434, which proposes the creation of a statewide Healthcare Access Recruitment Grant Program aimed at addressing provider shortages in Nevada. This bill may incorporate elements from other previously considered legislation.

Mr. Dazlich confirmed that he has been in contact with Executive Director DiMaggio and will continue to provide real-time updates as the special session progresses.

VI. *REVIEW/DISCUSSION/CONSIDERATION/ACTION REGARDING POSSIBLE APPROVAL OF HEARING OFFICER ALLISON'S FINDINGS, RECOMMENDATIONS SET FORTH IN THE AMENDED ORDER NUNC PRO TUNC, WITH OR WITHOUT MODIFICATION, OR OTHER POSSIBLE ACTION PURSUANT TO NRS 622A.300(5) REGARDING ROBERT ESSLINGER, D.O. (Discussion/For Possible Action) Carla Perlotto, President*

Micheline Fairbank, Board Counsel, provided a summary of the procedural history and legal context surrounding the amended order nunc pro tunc for Dr. Esslinger as follows: The matter stemmed from two complaints: a consumer complaint in December 2017 and a second from a California physician in March 2019. These led to a settlement agreement entered on August 9, 2022, in which Dr. Esslinger admitted to multiple violations of NRS 633 and agreed to surrender his license effective July 13, 2022. The agreement was considered a disciplinary action and included a clause prohibiting modification without mutual consent.

Following the enactment of Senate Bill 336 in June 2023, which clarified jurisdictional limits under NRS 633.171, Dr. Esslinger requested a modification of the settlement agreement in April 2024. The Board declined, and the matter was reviewed by a hearing officer. The hearing officer determined the agreement was a final order and that SB336 did not apply retroactively. The request to modify was denied.

The hearing officer ordered the Board to submit the final order, SB336, and a copy of a letter from Dr. Fong to the National Practitioner Data Bank. The Board incurred \$13,961.00 in legal and hearing-related costs in defending the matter. Under NRS 622.400 and NRS 622A.300, the Board has the authority to recover these costs and to approve or modify the hearing officer's recommendation.

The Board was asked to approve the amended order nunc pro tunc with a modification requiring Dr. Esslinger to reimburse the full amount of \$13,961.00.

Mr. Mont Tanner, attorney for Dr. Esslinger, provided background on Dr. Esslinger's long-standing medical practice in Reno, Nevada, noting that he had practiced for 30 to 40 years without any prior disciplinary issues or patient complaints. According to Mr. Tanner, the complaint that led to the 2022 settlement arose from concerns raised by a California physician regarding Dr. Esslinger's use of integrative medicine. Mr. Tanner explained that, at the time, Dr. Esslinger was dual licensed in both osteopathic and homeopathic medicine, and his treatments were consistent with homeopathic standards but not osteopathic cancer treatment protocols.

Mr. Tanner referenced a letter from Dr. Fong, President of the Nevada Board of Homeopathic Medical Examiners, which supported Dr. Esslinger's treatment practices and questioned the need for investigation by the Osteopathic Board. Mr. Tanner stated that Dr. Esslinger chose to retire and agreed to a settlement that included surrendering his license, but it was not initially understood that the revocation would be reported to the National Practitioner Data Bank (NPDB), which subsequently triggered reciprocal disciplinary actions in California and Idaho.

Mr. Tanner emphasized that Senate Bill 336, enacted in June 2023, clarified that if a physician's practices are compliant with one Title 54 licensing board, another board does not have jurisdiction to investigate or discipline those practices. He stated that the request before the Board was not to reverse the revocation, but to ensure that the NPDB record reflects the current legal framework, including SB336 and Dr. Fong's letter, to clarify that Dr. Esslinger's treatment practices were lawful under the Homeopathic Board's jurisdiction as of June 2023.

Mr. Tanner also noted that the hearing officer's final order explicitly directed the Board to submit a copy of order, SB336, and Dr. Fong's July 2018 letter to the NPDB, along with any other relevant materials. He reiterated that the hearing officer's findings confirmed Dr. Esslinger's practices were not in violation of Nevada law as of June 2023, and that the reporting requirement was intended to provide clarity to other licensing jurisdictions.

Dr. Polce inquired whether any individual or patient had ever filed a direct complaint against Dr. Esslinger, noting that the issue appeared to have originated from a California physician rather than a patient. Dr. Polce questioned why a physician would voluntarily surrender their license without a direct complaint, stating that he personally would not concede under similar circumstances.

Mr. Tanner responded that the concern came from a California physician practicing near the Nevada border who observed patients traveling to Reno to receive integrative cancer treatments from Dr. Esslinger. Mr. Tanner further explained that these treatments, while compliant with homeopathic standards, did not align with osteopathic protocols such as chemotherapy. According to Mr. Tanner, the California physician expressed concern that patients were opting for alternative treatments, prompting the Nevada Board to investigate. An expert from New York was consulted and concluded that Dr. Esslinger's treatments did not meet osteopathic standards, which Mr. Tanner noted was expected, as Dr. Esslinger was practicing under his homeopathic license. He referenced a letter from Dr. Fong, President of the Homeopathic Board, affirming that the treatments were appropriate under homeopathic standards. This letter was referenced in the hearing officer's order.

Mr. Tanner expressed frustration over the two-year duration of this case, attributing delays to regulatory complexities and inter-board jurisdictional issues. He acknowledged the Board's duty to

protect the public but urged members to consider the broader context and Dr. Esslinger's previously unblemished record.

In response to a question from Board President Perlotto, Mr. Tanner formally requested that the Board accept the hearing officer's order and submit the order, Dr. Fong's letter, and Senate Bill 336 to the National Practitioner Data Bank (NPDB). When asked by Dr. Polce about the purpose of the submission, Mr. Tanner explained that it was to help clear Dr. Esslinger's reputation by ensuring the record reflects that his treatment practices were lawful under homeopathic standards as of June 2023.

Board Member Bille Casse expressed support for the request, clarifying that the Board was not being asked to endorse the treatments but simply to comply with the hearing officer's directive. Dr. Polce agreed. Mr. Tanner reiterated that the request was not to reverse the revocation but to ensure the NPDB record reflects the current legal and regulatory context.

Mr. Tanner emphasized that Dr. Esslinger had no prior disciplinary history and believed, at the time of his retirement, that the settlement agreement would not be reported to the National Practitioner Data Bank (NPDB), as the agreement did not contain such a provision. He described this as a misunderstanding and noted that the reporting had significant consequences for Dr. Esslinger's licenses in other states.

Mr. Tanner stated that Dr. Esslinger had already paid the investigative and legal costs associated with the original settlement agreement. However, he objected to the additional \$13,961.00 in legal fees incurred during these subsequent proceedings, arguing that Dr. Esslinger should not be responsible for those costs, particularly since the hearing officer ruled in his favor regarding the reporting clarification.

Attorney Micheline Fairbank clarified that the investigation originated from two separate complaints: a consumer complaint submitted on December 18, 2017, and a second complaint from a California physician on March 19, 2019. She emphasized that the matter did not arise solely from a physician complaint.

Ms. Fairbank addressed the claim that Dr. Esslinger was the prevailing party, stating that the hearing officer's order clearly denied the request to modify the settlement agreement and did not include any language indicating a partial grant or favorable ruling. Therefore, the Board does not consider Dr. Esslinger the prevailing party.

Regarding legal fees, Ms. Fairbank explained that the time spent by prior Board counsel, Mr. Dreitzer, was reasonable given the complexity and duration of the case, totaling approximately 40 hours over two years.

She also clarified that reporting the disciplinary action to the NPDB was not optional. Under federal law (45 CFR Part 60), the Board is required to report such actions, regardless of whether the settlement agreement explicitly stated this requirement. She emphasized that the Board had a legal obligation to report the matter to NPDB and that lack of awareness does not exempt a licensee from compliance.

Ms. Fairbank reaffirmed the Board's authority under NRS 622A.300 to approve the hearing officer's order with modifications and recommended approval of the amended order nunc pro tunc, including recovery of reasonable attorney fees and costs, as such would be a responsible use of public and licensure funds. Dr. Perlotto referenced the hearing officer's order, noting that it clearly

states Dr. Esslinger's request to modify the settlement agreement is denied (page 5 of 7 of said amended order nunc pro tunc). She emphasized the Board's responsibility to manage public funds appropriately.

Dr. Perlotto identified two distinct issues for the Board's consideration: (1) whether to approve the hearing officer's amended order nunc pro tunc, SB336, and Dr. Fong's letter to the NPDB, and (2) whether to approve recovery of legal fees and costs incurred by the Board in this matter. Mr. Tanner acknowledged support among Board members for submitting the materials to the NPDB and noted that while the Board has the authority to seek reimbursement, it is not required to order Dr. Esslinger to pay the full amount.

Mr. Tanner reiterated that the primary purpose of Dr. Esslinger's request was to ensure that public records reflect that, as of June 2023, Dr. Esslinger's treatment practices were no longer considered violations under Nevada law due to the enactment of Senate Bill 336 and the supporting letter from Dr. Fong. He clarified that the request was not to reverse the license revocation, but to ensure that the hearing officer's order, SB 336, and Dr. Fong's letter be submitted to the National Practitioner Data Bank (NPDB) for transparency.

Dr. Perlotto confirmed that the Board was considering two separate issues: (1) approval and submission of the hearing officer's amended order nunc pro tunc, SB 336, and Dr. Fong's letter to the NPDB, and (2) whether to approve the recovery of legal fees and costs incurred by the Board in this matter. She noted that while the Board has the authority to seek reimbursement, it is not required to mandate full repayment by Dr. Esslinger.

Mr. Board Member Nigam asked whether the two issues could be addressed through separate motions, and Dr. Perlotto agreed. Dr. Weed expressed concern that submitting Dr. Fong's letter might be perceived as an endorsement of homeopathic practices, which she does not support. Mr. Ostunio, Deputy Attorney General, responded that the Homeopathic Board does not have a disciplinary action to report, and therefore the responsibility to submit the documents lies with the Osteopathic Board.

Dr. Casse stated that it is her understanding that the hearing officer's amended order nunc pro tunc does not require the Board to file a formal NPDB report, but rather to submit copies of the amended order nunc pro tunc, SB 336, and Dr. Fong's letter. She noted that NPDB only accepts specific types of disciplinary reports and may not accept these documents, but the Board would be obligated to comply with the hearing officer's directive. She emphasized that submission does not imply endorsement of letters or homeopathic practices.

Mr. Tanner agreed, stating that the Board would simply be complying with the hearing officer's amended order nunc pro tunc. Dr. Perlotto questioned whether it would make a difference if Dr. Esslinger submitted the documents himself. Ms. Fairbank clarified that it is the regulatory body's obligation to make the submission to NPDB, and that the practitioner has the right to dispute the report if necessary.

Mr. DiMaggio stated that NPDB only accepts specific types of reports and that the Board had already confirmed the documents in question may not meet those criteria. However, the hearing officer's order requires submission, and that obligation remains regardless of NPDB's acceptance.

It was acknowledged that the submission requirement is already included in the hearing officer's order and that a separate motion may not be necessary. The remaining decision before the Board

was whether to approve the amended order nunc pro tunc with the modification to assess \$13,961.00 in legal and hearing officer fees to Dr. Esslinger.

Ms. Fairbank clarified that the Board has full authority under NRS 622A.300 to adopt, modify, or reject the hearing officer's order in any manner it deems appropriate. The request before the Board under this agenda item was for the Board to adopt the amended order nunc pro tunc with a modification to include recovery of legal fees and costs incurred by the Board from Dr. Esslinger.

Ms. Fairbank reiterated that the Board's options include: (1) adopting the amended order nunc pro tunc as submitted, (2) modifying it to include recovery of fees and costs or any other changes the Board deems appropriate from Dr. Esslinger, (3) rejecting the amended order nunc pro tunc and remanding it for further proceedings, or (4) rejecting the amended order nunc pro tunc and conducting a new hearing before the Board.

Dr. Perlotto reopened discussion regarding the submission of documents to the National Practitioner Data Bank (NPDB), acknowledging concerns raised by Dr. Weed about the Board relinquishing authority. She asked if any board members wished to make a motion to alter the hearing officer's directive regarding the submission of the order, SB 336, and Dr. Fong's letter to the NPDB. No such motion was made.

The Board then took up the issue as to whether to approve the recovery of legal and hearing officer fees incurred by the Board from Dr. Esslinger. Dr. Perlotto clarified that this would require a motion to modify the amended order nunc pro tunc to include the assessment of \$13,961.00 in fees and costs against Dr. Esslinger. Dr. Polce expressed support for recovering the fees and costs, citing the importance of protecting both physician licensees and taxpayers from unnecessary financial burden.

Mr. DiMaggio proposed language for the motion: that the Board approve and adopt the amended order nunc pro tunc denying the respondent's request to modify the settlement agreement (filed June 27, 2025) and modify said amended order nunc pro tunc to include the assessment of \$13,961.00 in legal and hearing officer fees against Dr. Esslinger. He recommended including a payment deadline and method, such as certified check or credit card, to ensure clarity and enforceability.

Ms. Fairbank confirmed that a payment deadline should be included in the motion and noted that the Board has previously allowed 30, 60, or 90 days depending on the circumstances. She invited Mr. Tanner to propose a timeline if desired.

Mr. Tanner reiterated his and Dr. Esslinger's objection to the assessment of any additional fees, stating that the matter should have been resolved two years ago and that the reporting of public information should not have resulted in further costs. He declined to propose a payment timeline and requested that the Board's written motion include confirmation that the documents will be submitted to the NPDB, as ordered by the hearing officer.

Dr. Perlotto and Ms. Fairbank confirmed that the hearing officer's amended order nunc pro tunc already includes the requirement to submit those documents and that the Board will comply accordingly.

Dr. Perlotto stated that the motion, as proposed by Mr. DiMaggio, would include the adoption of the hearing officer's amended order nunc pro tunc denying Dr. Esslinger's request to modify the settlement agreement, with a modification to assess Dr. Esslinger fees and costs incurred by the Board

in this matter in the amount of \$13,961.00 in legal and hearing officer fees within 90 days. The 90-day payment period was suggested by Mr. Nigam.

Dr. Weed formally made the motion as stated in the preceding paragraph, and Dr. Polce seconded it. Dr. Perlotto called for a vote. The motion passed with one opposition noted from Dr. Casse.

VII. REVIEW/DISCUSSION/CONSIDERATION/POSSIBLE ACTION REGARDING REQUEST FROM MATTHEW DIKIN, D.O., TO TERMINATE HIS PROBATION UNDER THE SETTLEMENT AGREEMENT AND ORDER FILED WITH THE BOARD ON MAY 14, 2024, IN CASE NUMBER OT2301003 (Discussion/For Possible Action) Carla Perlotto, President

Dr. Matthew Dikin and Mr. Mark Chase appeared before the Board to request a modification to the public designation of Dr. Dikin's license status from probation to active. Both declined the option for a closed session. Dr. Dikin clarified that he was not seeking to terminate the settlement agreement or end the monitoring program. Instead, he requested removal of the "probation" label from his public license record on the Board's verification website.

Mr. Chase explained that Dr. Dikin is midway through a three-year monitoring agreement, which began in November 2023 and is scheduled to conclude in November 2026. He confirmed that Dr. Dikin has fully complied with every requirement, including drug and alcohol testing, scheduled meetings, and psychological evaluations. Mr. Chase noted that Dr. Dikin has consistently demonstrated progress and remains a model participant.

Dr. Dikin shared that despite his full compliance, the public "probation" designation has significantly affected his ability to obtain employment, especially in community and hospital settings. He stated that several job offers have been rescinded during credentialing due to the probationary status of his medical license. He is currently employed at a correctional facility in Ely, Nevada, and has recently accepted a position at William Bee Ririe Hospital. However, he expressed a strong desire to return to community-based emergency and critical care medicine in Southern Nevada.

Mr. DiMaggio reiterated that the request was not to end probation early or modify the settlement agreement's terms, but solely to change the public-facing license status shown on the Board's website from "probation" to "active" while continuing all monitoring obligations. Mr. Chase supported the request, again noting Dr. Dikin's full compliance.

The Board discussed the distinction between adjusting the public designation and altering the legal terms of the agreement. Members acknowledged that the request constituted an administrative update—not a modification of the settlement agreement itself.

Dr. Perlotto emphasized the importance of ensuring that physician monitoring programs are not viewed as punitive. She stated that the Board strives to support rehabilitation and encourage participation by fostering a non-punitive, supportive approach. Changing the public status of Dr. Dikin's medical license to "active" while maintaining all monitoring requirements supports this philosophy and maintains accountability.

Board Members Nigam and Dr. Polce noted that employers may still learn of the underlying agreement during credentialing, even if the public status changes. They agreed that such due diligence lies with hiring entities and that the Board's responsibility is to provide an accurate and fair representation of licensure status.

Ms. Fairbank confirmed that the monitoring agreement includes statutory confidentiality provisions and is not publicly posted. The “probation” label had been applied administratively by Board staff, but she affirmed that the Board has clear authority to direct staff to modify the public designation of Dr. Dikin’s license status.

There was broad consensus among Board members that changing Dr. Dikin’s license status to “active” would appropriately support Dr. Dikin’s reintegration into community practice while maintaining all monitoring obligations. Ms. Fairbank proposed motion language consistent with the settlement agreement, suggesting approval of Dr. Dikin’s request to remove the “probation” designation from the Board’s website while maintaining all existing terms of the settlement agreement.

Dr. Perlotto made the motion to remove the “probation” designation of Dr. Dikin’s license status and change it to “active” on the Board’s website while maintaining all requirements of the settlement agreement. Mr. Nigam seconded the motion. The Board unanimously approved the motion.

VIII. DISCUSSION/CONSIDERATION/ACTION REGARDING POSSIBLE APPROVAL OF CONTRACT OR CONTRACT RENEWAL FOR LEGISLATIVE REPRESENTATION SERVICES FROM McDONALD CARANO (Discussion/For Possible Action) Carla Perlotto, President

Mr. DiMaggio summarized the contract for legislative representation from McDonald Carano included in the Board materials. He explained that the contract provides compensation of \$3,250.00 per month from January 1, 2026, through December 31, 2026, which reflects the interim period when the Legislature is not in session. This amount is consistent with the current contract, which expires at the end of this December and was not changed.

He further noted that the compensation during the legislative session—from January 1, 2027, through June 30, 2027—was increased from \$3,750.00 per month to \$4,000.00 per month, representing a \$250.00 monthly increase. Mr. DiMaggio confirmed that this information aligns with the most recent contract update received from Cassidy Wilson on October 21, 2025.

Mr. Nigam made a motion to approve a new contract with McDonald Carano for legislative representation as summarized above by Mr. DiMaggio. Dr. Polce seconded the motion. The motion passed unanimously.

IX. REVIEW/DISCUSSION/CONSIDERATION AND POSSIBLE ACTION REGARDING PROPOSED NEVADA ADMINISTRATIVE CODE (NAC) REGULATIONS FROM THE OFFICE OF NEVADA BOARDS, COMMISSIONS AND COUNCIL STANDARDS, NEVADA DEPARTMENT OF BUSINESS AND INDUSTRY (Discussion/For Possible Action) Carla Perlotto, President

Mr. DiMaggio reported that the Nevada Department of Business and Industry has issued updated proposed regulations concerning boards and commissions. The most recent draft—contained in the Board materials—is the version scheduled for discussion at a public workshop on November 25, 2025, at 1:00 p.m. This workshop date was rescheduled from an earlier date in November.

Mr. DiMaggio stated that he has already submitted comments regarding the first draft of the regulations. Although some changes were made in the latest version, he noted that his primary concerns remain unresolved. The updated draft regulations have been provided for Board review

should members wish to offer input.

He recommended that the Board consider whether it intends to express a position—such as support, opposition, or neutrality—on the proposed regulations. If the Board wishes to take a position, either he or Ms. Fairbank, if available to attend the workshop, would represent the Board's views during the public workshop. Alternatively, the Board may choose to remain neutral and offer no comment. The Board took no action on this matter.

X. REVIEW/DISCUSSION/CONSIDERATION AND POSSIBLE ACTION REGARDING CLOSING THE BOARD'S EXISTING BANK ACCOUNT AT BMO; OPENING NEW BANK ACCOUNT(S) AT WESTERN ALLIANCE BANK A/K/A FIRST INDEPENDENT BANK; TRANSFERRING ALL FUNDS FROM THE EXISTING BMO BANK ACCOUNT TO THE NEW BANK ACCOUNT(S) AT WESTERN ALLIANCE BANK A/K/A FIRST INDEPENDENT BANK; AND ADDING FRANK DIMAGGIO, BOARD EXECUTIVE DIRECTOR, CARLA PERLOTTO, BOARD PRESIDENT, AND SWADEEP NIGAM, BOARD SECRETARY-TREASURER AS AUTHORIZED SIGNERS ON SAID NEW BANK ACCOUNT(S) AT WESTERN ALLIANCE BANK A/K/A FIRST INDEPENDENT BANK (Discussion/For Possible Action) Carla Perlotto, President

Mr. DiMaggio informed the Board that the current account with BMO has been in place for several years and currently yields an interest rate of approximately 0.596%. After discussions with BMO's account manager, it was confirmed that there was no opportunity to increase the rate. Following a recommendation from Secretary-Treasurer Mr. Nigam, Mr. DiMaggio explored alternative banking options and was referred to Western Alliance Bank, also known as First Independent Bank.

Mr. DiMaggio explained that Western Alliance Bank offers higher interest rates than BMO and provided rate comparisons via email from a representative of Western Alliance Bank named Jessica Natali, based in Reno. Although First Independent Bank does not have a physical branch in Southern Nevada, it is part of Western Alliance Bank, which includes other affiliated banks such as Bank of Nevada, Alliance Association Bank, and Bridge Bank.

Mr. Nigam confirmed that Western Alliance Bank operates under multiple names and has a presence in Nevada, including Bank of Nevada. He noted that as long as the bank is incorporated in Nevada and does not require in-person signatures, it would meet the Board's needs. Mr. DiMaggio confirmed that physical presence is not required to open the account.

Board member Dr. Dean Polce made a motion resolving and approving the following: to close the Board's existing bank account at BMO; to open new bank account(s) with Western Alliance Bank, doing business as First Independent Bank; to transfer all funds from the existing bank account at BMO to the new bank account(s) with Western Alliance Bank, doing business as First Independent Bank; and to add Frank DiMaggio, Board Executive Director, Carla Perlotto, Board President, and Swadeep Nigam, Board Secretary-Treasurer as authorized signers on said new bank account(s) with Western Alliance Bank, doing business as First Independent Bank. Board member Dr. Billie Casse seconded the motion. The motion passed unanimously by all present Board members.

XI. DISCUSSION/POSSIBLE ACTION OF APPROVING BOARD MEMBERS AND/OR EXECUTIVE DIRECTOR TO ATTEND THE FEDERATION OF STATE MEDICAL BOARDS' 2026 ANNUAL MEETING HELD APRIL 30 – MAY 2, 2026, IN BALTIMORE, MARYLAND (Discussion/For Possible Action) Carla Perlotto, President

Dr. Perlotto made a motion to approve sending Mr. Nigam, Dr. Polce, Mr. DiMaggio, and herself to attend the Federation of State Medical Boards' (FSMB) 2026 Annual Meeting, scheduled for April 30 – May 2, 2026, in Baltimore, Maryland. The motion included the understanding that any other Board members who wish to attend may notify staff of their desire to attend at a later date.

Dr. Casse seconded the motion. The Board unanimously approved the motion.

XII. DISCUSSION/CONSIDERATION/POSSIBLE APPROVAL OF FY 2024-2025 AUDIT AS REQUIRED PER NRS 218G.400 (Discussion/For Possible Action) Carla Perlotto, President

Mr. DiMaggio informed the Board that a copy of the final draft audit from Watkins Jackson was included in the meeting materials and that the final version is due to the Legislative Counsel Bureau (LCB) by December 1, 2025. He noted that the audit was generally accurate but identified a few minor typographical and formatting corrections to said final draft audit:

- On pages 5, 6, and 11, references to “osteopathic physician” or “physician assistant” should be corrected to read “osteopathic physician, physician assistant, and anesthesiologist assistant.”
- On page 13, under the section on compensated leave, the second line should be updated to reflect the current policy: “144 to 192 hours for hourly employees,” replacing outdated figures.
- On page 17, in Note 4 titled “Fees Receivable, Net,” the final sentence currently reads “doubtful accounts of \$—.” Mr. DiMaggio suggested this should include a specific dollar amount (e.g., \$5,000) or be clarified by the auditor.

Mr. DiMaggio stated that these were minor edits and recommended the Board approve the audit with the noted corrections. Dr. Polce made a motion to approve the final draft audit with the amendments/corrections as read by Mr. DiMaggio. Dr. Casse seconded the motion. The Board unanimously approved the motion.

XIII. EXECUTIVE DIRECTOR’S REPORT by Frank DiMaggio

- a. *Financial Statements*- Mr. DiMaggio provided a brief update on the Board’s financial statements, noting that revenue figures continue to increase month after month. He mentioned that fluctuations in amounts are expected, particularly due to the large volume of licensees processed during the previous cycle.
- b. *Legislation Updates*- Mr. DiMaggio reported that work is ongoing for regulations required under AB 56, which changes license renewal periods from annual to biennial and updates CME requirements. Draft regulations have been completed, and a public workshop is scheduled for Friday, December 14, 2025, at 11:00 AM. Ms. Fairbank was asked to attend but she may have a prior commitment; Mr. DiMaggio confirmed he would attend if she was unable to attend.

The regulations strictly implement statutory requirements from AB 56, though public comments will still be accepted. Board members were notified separately by email from Mr. DiMaggio regarding this public workshop and are welcome, but not required, to attend. The agenda with the meeting link has been sent to all Board members and can be resent upon request.

An update regarding proposed regulations required by AB 483 was also noted, with Ms. Fairbank available to address it. No additional legislative updates were reported.

- c. *Comments* - The FSMB sent an email on November 3, 2025, announcing a call for candidates

for their elected positions on the FSMB Board of Directors and Nominating Committee. They are reaching out to leadership of their 69 member boards, including ours, to identify board members who may be interested in serving. It appears that Dr. Perlotto was also included in the original email communication.

If any of our board members are interested in being nominated, they should notify Mr. DiMaggio as soon as possible. Once Mr. DiMaggio has those Board member names, he will inform Ms. Young, who sent the original email, at FSMB and she can provide any required paperwork or additional steps. The nomination deadline is December 15th, so timely responses are needed.

Mr. Nigam asked how many of the 2,060 active licensees are actually practicing in Nevada. Mr. DiMaggio explained that this is very difficult to determine because physicians may work only limited hours, practice out of state, be retired but still maintain a license, or hold licenses through the Interstate Medical Licensure Compact, which often indicates they are practicing elsewhere. Rough estimates suggest that about 60 percent of licensees are still actively working, while approximately 40 percent may be practicing out of state or retired. A discussion ensued regarding the possibility of using surveys or adding new questions to the license renewal process to determine where physicians physically practice, what their specialties are, and other relevant details. It was noted that self-reported information is often unreliable, as many applicants check the box indicating they plan to practice in Nevada but actually only perform telemedicine or never practice in the state at all.

The discussion then shifted to legislative updates. Provisions from SB 495, which would require boards to collect additional data at license renewal, may be incorporated into a broader healthcare bill, like SB 434, during the current special session. Mr. Dazlich explained that drafts of the special session bills are not yet available, but the structure appears to follow bills from the previous session, and the board may need to submit a fiscal note within a short turnaround period, possibly as little as 48 hours. The agenda for the special session was updated during the meeting, and although there is no maximum length for the session, it is expected to be concluded by the weekend due to legislators' travel plans.

The conversation concluded with acknowledgment that accurately determining how many licensed physicians truly practice in Nevada remains difficult. Current workforce statistics are misleading because many physicians hold Nevada licenses without actually practicing here, especially those who obtain licensure through the IMLC for telemedicine or multi-state practice.

XIV. *LEGAL REPORT (Discussion/For Possible Action) by Micheline Fairbank (Fennemore Craig, LLC) Board Counsel*

Ms. Fairbank reported that she continues to work on several pending investigations and settlement negotiations, and she anticipates bringing some of these matters before the board in upcoming meetings, ideally before the end of the year. She also provided an update on the regulatory work required under Assembly Bill 483 from the 2025 legislative session. She explained that she has been collaborating with other licensing boards affected by the bill, including the Board of Dental Examiners and the Medical Board, to create consistent regulatory language. Using draft language developed by the Dental Board as a model, she prepared a draft regulation addressing priority processing of initial applications for individuals seeking employment in historically underserved communities. She plans to circulate the draft among colleagues on the other boards to maintain

uniformity before proceeding with the small business impact statement and the full administrative regulation adoption process required under NRS 233B.

XV. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA

No items were mentioned for future discussion.

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

a. Next Board Meeting date: December 9, 2025

XVII. PUBLIC COMMENT

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.

Under the public comment item, members of the public may bring matters not appearing on this agenda to the attention of the Board. The Board may discuss but may not act on the matters at this meeting. A member of the public may speak on a matter not on the posted Agenda after all matters listed on the posted Agenda have been acted upon by the Board, but only after receiving recognition and consent of the Chair of the Board. If the Board desires, the matters may be placed on a future agenda for action.

In consideration of others, please avoid repetition and limit your public comments to no more than five (5) minutes. The Board may also allow public comment on specific agenda items as they are called, as well as during the Public Comment portion of the Board meeting.

Pursuant to NRS 241.020 (6), please take notice: (1) Items on the agenda may be taken out of order; (2) Two or more agenda items may be combined for consideration; and (3) At any time, items on the agenda may be removed from the agenda or discussion of the items may be delayed.

No public comments were received.

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

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

Notices posted at the following locations:

*Nevada Building, One State of Nevada Way, Las Vegas, NV 89119
Office of the Nevada State Board of Osteopathic Medicine, Henderson, NV 89074 Office
of the Attorney General, 100 North Carson Street, Carson City, NV 89701 Clark County
Library, 1401 E. Flamingo Rd., Las Vegas, NV 89119
Nevada Public Notices Website- www.notice.nv.gov*

Board Meeting Agendas and Minutes are posted on our website at: www.bom.nv.gov

Supporting meeting material may be obtained by contacting the Board by phone, fax or email. These materials are also available at the office of the Board or you may directly contact Frank DiMaggio at 702-732-2147 or fdimaggio@bom.nv.gov.

Minutes approved by the Board at the December 9, 2025 Board Meeting