



NEVADA STATE BOARD OF OSTEOPATHIC MEDICINE

****PUBLIC NOTICE****

BOARD MEETING

September 14, 2021 @ 5:30 PM

AT THE FOLLOWING LOCATION:

*Nevada State Board of Osteopathic Medicine ~ Conference Room
2275 Corporate Circle, Suite 210
Henderson, NV 89074
Public Call in Number: 1-866-854-6779; Meeting Code: 7492532#*

NOTE: Per Governor Sisolak's Directive 44, beginning June 1, 2021, Board meetings will return to holding meetings at physical locations.

***** MINUTES *****

I. CALL TO ORDER (Discussion/For Possible Action) Ronald Hedger, D.O., President, Roll call to determine presence of a quorum

Board Members:

Ronald Hedger, D.O.

Paul Mausling, D.O.

Ricardo Almaguer, D.O.

Carla Perlotto, Ph.D., Public Member

Swadeep Nigam, MSc, MBA, Public Member

Dean Milne, D.O.

Board Staff:

Sandra Reed, Executive Director

Louis Ling, Esq., Board Counsel

Public:

Susan Fisher

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 Comments.

III. APPROVAL OF BOARD MEETING MINUTES FROM THE AUGUST 10, 2021 BOARD MEETING (Discussion/For Possible Action) Ronald Hedger, D.O., President

Mr. Nigam made a motion to approve the minutes from August 10, 2021; seconded by Dr. Mausling. There being no discussion, the minutes were approved by the Board.

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

(Discussion/For Possible Action) Ronald Hedger, D.O., 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 | Specialty |
|-----------------------------------|---|
| <i>Michael Blatter, D.O.</i> | <i>Orthopedic Surgery</i> |
| <i>Hoa Cao, D.O.</i> | <i>Internal Medicine</i> |
| <i>Tushar Garg, D.O.</i> | <i>Family Medicine</i> |
| <i>Jeffrey Hunter, D.O.</i> | <i>Family Medicine</i> |
| <i>Thomas Ilustrisimo, D.O.</i> | <i>Internal Medicine</i> |
| <i>Esther Y. Kim, D.O.</i> | <i>Internal Medicine</i> |
| <i>Michael Kolinski, D.O.</i> | <i>Osteopathic Manipulation Medicine</i> |
| <i>Christina Lang, D.O.</i> | <i>Internal Medicine</i> |
| <i>John Layke, D.O.</i> | <i>Plastic Surgery</i> |
| <i>My Huyen Le, D.O.</i> | <i>Internal Medicine</i> |
| <i>Jenna Loveday, D.O.</i> | <i>Internal Medicine</i> |
| <i>Ann Nguyen, D.O.</i> | <i>Family Medicine</i> |
| <i>Anthony Nguyen, D.O.</i> | <i>Internal Medicine</i> |
| <i>Lam Nguyen, D.O.</i> | <i>Family Medicine</i> |
| <i>Jon Olson, D.O.</i> | <i>Radiology</i> |
| <i>Dozie Oparaugo, D.O.</i> | <i>Internal Medicine</i> |
| <i>James Padula, D.O.</i> | <i>Pain Management</i> |
| <i>Elizabeth Pena, D.O.</i> | <i>Physical Medicine and Rehabilitation</i> |
| <i>Alexander Pingree, D.O.</i> | <i>Emergency Medicine</i> |
| <i>Amy Reif, D.O.</i> | <i>Internal Medicine</i> |
| <i>Andrew Sakla, D.O.</i> | <i>Internal Medicine</i> |
| <i>Jared Szymanski, D.O.</i> | <i>Pathology, Anatomical/Clinical</i> |
| <i>Bennett Vitug, D.O.</i> | <i>Family Medicine</i> |
| <i>Pacific Vo-Vitug, D.O.</i> | <i>Internal Medicine</i> |
| <i>Chad Terry, D.O.</i> | <i>Psychiatric Medicine</i> |

| Physician Assistant | Supervising Physician |
|-------------------------------|------------------------------|
| <i>Kyle Anderson, PA-C</i> | <i>Del Gardner, D.O.</i> |
| <i>Dailey Doss, Jr., PA-C</i> | <i>Active-Not Working</i> |
| <i>Megan Hyla, PA-C</i> | <i>Thomas Vater, D.O.</i> |
| <i>Selina Mendes, PA-C</i> | <i>Active-Not Working</i> |
| <i>Brian Stark, PA-C</i> | <i>Jay Coates, D.O.</i> |
| <i>Kevin Yu, PA-C</i> | <i>Active-Not Working</i> |

Special Licenses NRS.633.411:

Mattie Arseneaux, D.O. UNLV-UMC

Dr. Milne made a motion to approve the licensees as written; seconded by Dr. Mausling. There being no discussion, the Board approved licensure.

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

Mr. Ling outlined the settlement agreement and order to the Board. Dr. Patel failed to report required information on his 2020 license renewal application. As Dr. Patel had multiple non-reporting actions over history: therefore, the Board decided to take disciplinary action and impose a fine. Mr. Ling and Dr. Perlotto explained how they reached the fine amount: namely, this recent non reporting was the twelfth time Dr. Patel had not reported required information, and smaller fines levied in the past have not changed his behavior. Dr. Milne made a motion to deny the settlement agreement and renegotiate a lower the fine, seconded by Dr. Hedger. The motion failed, with only Dr. Hedger and Dr. Milne voting to approve; and, Dr. Almaguer, Dr. Mausling, and Mr. Nigam opposed. Mr. Nigam made a motion to accept the settlement agreement as written, seconded by Dr. Mausling. The motion was approved by the Board, with Dr. Hedger and Dr. Milne opposed. Dr. Perlotto abstained due to being the IBM on the settlement agreement and order.

VI. CONSIDERATION/ACTION REGARDING UPDATED REVISED POLICY FOR PROSPECTIVE CONTINUING EDUCATION AUDITS, (Discussion/For Possible Action) Ronald Hedger, D.O., President

Ms. Reed noted that the current CME policy of auditing licensees after the renewal process is challenging. The current draft would align with the statute to require licensees chosen for the audit to provide their documentation before their license will be renewed. If those audited do not provide documentation proof as required by the renewal deadline of December 31, of each year, they will be required to pay a renewal late fee. If they do not provide documentation or pay the late fee, their license will automatically expire after a brief notification process to provide documentation. After discussion, the Board requested the proposed draft policy be presented as a flowchart for easier understanding and review. Dr. Hedger made a motion to postpone this item to next Board meeting, seconded by Dr. Almaguer. There being no opposition, the Board approved the motion.

VII. CONSIDERATION/ACTION REGARDING PROCEDURE TO ADDRESS LICENSEES PRESENTLY POTENTIALLY VIOLATING CME REQUIREMENTS, (Discussion/For Possible Action) Ronald Hedger, D.O., President

Ms. Reed explained there are approximately 40 licensees who have not complied with the current policy for the 2020 CME audit. Dr. Hedger proposed that the draft policy following the statute be applied. That would require these licensees to provide proof of all 2020 CME credits and 2021 CME credits. The current statute would be adhered to, allowing a brief notification period to make up or provide the CME credits. If the licensee does not provide proof of all CMEs by a date certain per statute, their license will automatically expire. Reinstatement of licenses would only occur for those who presented proof of CME credits and payment of a late renewal fee. Dr. Hedger made a motion to notify licensees in violation of CME requirements of new draft policy and statute requirements, seconded by Mr. Nigam. There being no opposition, the Board approved the motion.

VIII. EXECUTIVE DIRECTOR'S REPORT

- a. *Financial Statements* – Ms. Reed noted the financial documents included in the Board's packets, which start from the new fiscal year in July. In the previous year comparison, the amount for CME fines this year was much higher.
- b. *Licensing* – Number of licensees continue to go up each year.

IX. LEGAL REPORT (Discussion/For Possible Action) by Louis Ling, Board Counsel and/or Justin Taruc, Deputy Attorney General
Mr. Ling did not have anything to report.

X. LEGISLATIVE UPDATE (Discussion/For Possible Action) by Susan Fisher, Board Government Affairs/Lobbyist.
Ms. Fisher did not have anything to report. There are no legislative hearings scheduled other than the usual Interim Finance and Legislative Commission hearings. Committee membership appointments have not been made yet for Interim Committee on Health Care, etc. Hearings should start shortly after the special session for redistricting, likely to occur in November.

XI. ITEMS FOR FUTURE DISCUSSION/ACTION/UPCOMING AGENDA
Mr. Nigam proposed a future agenda item regarding the Board implementing a policy regarding addressing physicians who provide misinformation and disinformation about the COVID-19 vaccine. He suggested the Board discuss potential disciplinary action against physicians not following CDC guidelines/policies on COVID 19. FSMB created a policy on this issue.

Dr. Perlotto proposed a future agenda item regarding the COMLEX Level 2 PE exam requirements. Due to the pandemic, the exam was cancelled in 2020 and 2021. She would like to discuss how this will affect potential future licensees.

XII. PRESIDENT'S REPORT on Board Business, Ronald Hedger, D.O., President
No report.

XIII. PUBLIC COMMENT
No Comments.

Dr. Perlotto made a motion to adjourn, seconded by Dr. Hedger, and approved by the Board.

Minutes approved at the October 12,, 2021 Board meeting