

NEVADA INSTITUTIONAL REVIEW BOARD

NOTICE OF PUBLIC MEETING AND AGENDA

PUBLIC BODY: **NEVADA INSTITUTIONAL REVIEW BOARD**

DATE OF MEETING: January 9, 2007

TIME OF MEETING: 5:00 PM Pacific Time

LOCATION OF MEETING: THE NEVADA CLINIC
3663 Pecos McLeod Intersection
Las Vegas, Nevada 89121

WITH TELEPHONIC LINK AT: CANCER SCREENING & TREATMENT
CENTER
521 Hammill Lane
Reno, Nevada 89511

NOTICES POSTED: This **Notice of Public Meeting** and **Agenda**
have been posted on or before 9:00 a.m. on
the third working day prior to the Meeting at the
following locations:

Bio Health Center, 615 Sierra Rose Drive, Suite 3, Reno, NV 89511
Board of Homeopathic Medical Examiners, 435 Court Street, Reno, NV 89501
Cancer Screening & Treatment Center, 521 Hammill Lane, Reno, NV 89511
Office of the Attorney General, 100 North Carson Street, Carson City, NV 89701
Office of the Attorney General, 555 East Washington Ave., Las Vegas, NV 89101
Sierra Integrative Medical Center, 380 Brinkby Ave., Reno, NV 89509
The Nevada Clinic, 3663 Pecos-McLeod Intersection, Las Vegas, NV 89121

In addition, the **Notice of Public Meeting** and **Agenda** was mailed or e-mailed to groups and individuals as requested.

AMENDED NOTICES AND AGENDA: With regard to any Board meeting, it is possible that an amended notice will be published adding new items to the original agenda. Amended notices will be posted, mailed and/or emailed in accordance with the Nevada Open Meeting Law.

NOTICE: We are pleased to make reasonable accommodations for members of the public who are disabled and wish to participate. If special arrangements are necessary, please call Board Member Ann O'Connell at 702-451-3334, as soon as possible so that suitable arrangements can be conveniently made.

CONFIDENTIALITY: This meeting may concern confidential investigative or personnel matters which may be discussed in executive (closed) session. In such event, all recommendations will be voted on in the open session, which will be part of the meeting.

MEMBER ITEMS: Members of the Board may raise potential agenda items. However, no action may be taken by the Board on any such item. Any potential agenda item requiring further action must be scheduled on a future Board Agenda.

ORDER OF AGENDA ITEMS: The Board wishes to notify the public that the Board may consider agenda items out of the order presented on the written Agenda, at the discretion of the Chairperson, to promote efficiency and as an accommodation to the parties involved.

PUBLIC COMMENT: The Board welcomes public comment. It is within the Board's discretion to take public comment during a public hearing on any Agenda item(s). If the Board permits public comment on any Agenda item(s), the Board may place limits on the amount of time permitted speakers during such public comment. Persons wishing to speak during the public comment period on items not on the Agenda may speak only after receiving recognition and consent of the Chairperson. In consideration of others, please avoid repetition and limit your comments to no more than three (3) minutes total. No deliberation or action may be taken on a matter not listed on the posted Agenda until the matter has been specifically included on an Agenda as an item.

CLOSED MEETINGS: In accordance with NRS 241.030(1), except as otherwise provided by law, the Board may hold a closed meeting to consider the character, alleged misconduct, professional competence, or physical or mental health of a person.

CONFLICT OF INTEREST: If an applicant, a licensee or a person from the public requests a Board member's abstention on an Agenda item based upon a perceived conflict of interest, that person must state his or her objection on the record before any discussion of the particular item.

MEMBERS OF THE BOARD AND STAFF: The following persons are either members of the Board or staff, as designated:

Babette Clough, Member and Secretary
Earlene Forsythe, Member
Karen Hayes-King, Member, Vice-President and Treasurer
Ann O'Connell, Member and President
Fuller Royal, Member
Executive Director, Vacant
Michael D. Wymer, Deputy Attorney General, Counsel to the Board

ALL CELLULAR PHONES AND PAGERS ARE TO BE TURNED OFF OR SET TO SILENT NOTIFICATION MODE PRIOR TO THE AGENDA PROCEEDINGS.

AGENDA

- A. Open Session.
1. Call to order. Ann O'Connell, President.
 2. Roll call and determination of a quorum.
 3. Verification of Posting and Mailing.
 4. Welcome all visitors.
 5. The Chair will set the time for adjournment.
 6. Approval of the Agenda for this meeting. **(Discussion/Action)**.
- B. Executive Business.
1. Today's meeting to be conducted under Robert's Rules of Order, 10th Edition, in all business of the Board in which those Rules are not in conflict with any part of NRS 241, NRS 630A, NAC 630A, or any other provision of the Nevada Revised Statutes. **(Discussion/Action)**.
 2. Introduction of new Members of the Board appointed by the Homeopathic Board of Medical Examiners [BHME], or by the Governor. Presentation of evidence of new Members having taken the oath/affirmation in compliance with NRS 630A.870 **(Discussion/Action)**.
 3. Administration of the oath/affirmation to any Member not in compliance with NRS 630A.870 **(Discussion/Action)**.

4. Officers of the Board. Review the duties and responsibilities of the offices of President, Vice-President, Secretary and Treasurer. Discuss additions, deletions or changes in the responsibilities of those offices. Hold election for any office which may have been vacated, if any. **(Discussion/Action)**.
 5. Review and approve the Minutes of the December 13, 2006, meeting of the Board. **(Discussion/Action)**.
 6. NIRB Policy and Bylaws Manual. Review proposed draft of a NIRB Policy and Bylaws Manual. Discuss and recommend additions, deletions or other changes deemed appropriate. Approve the final instrument as the NIRB Policy and Bylaws Manual. **(Discussion/Action)**.
 7. Request for formal Opinion from the Attorney General. Report by Deputy Attorney General Michael D. Wymer on the status of the formal Attorney General's Opinion to be requested giving the Board guidance on the meaning of the term "supervise" as it pertains to the relationship between the Board of Homeopathic Medical Examiners (BHME) and the Board. Review and consider the intent of the Legislature in using the term "supervise". Designation of additional issues, if any, to be included in the request for formal Opinion from the Attorney General. **(Discussion/Action)**.
 8. NIRB bank account(s). Review and consider obtaining control of the NIRB account(s), closing old account(s) and opening new account(s). **(Discussion/Action)**.
 9. 2007 Legislative session. Discuss appointment of a Board Member to represent the NIRB on matters affecting the NIRB being considered by the Legislature. Review and consider the Board of Homeopathic Medical Examiners BDR (DOA #110). Discuss and take action to support, remain neutral, or reject all or any parts of this bill pertaining to the NIRB. **(Discussion/Action)**.
 10. LCB File No. R125-05. Report by Fuller Royal. Review, consider and take action to support, remain neutral, or reject all or any parts of this proposed regulation. Designate a Board Member to prepare an informational letter to advise the LCB of the Board's position and recommendations for approval by the Board. **(Discussion/Action)**.
 11. NIRB Medical Foundation. Report by Fuller Royal. Letter of request to the Secretary of State. Discussion of establishment and existence of Foundation. Name of Foundation. **(Discussion/Action)**.
 12. NIRB website. Report by Fuller Royal. Review current status of the NIRB website. Retention of previous website or development of new website. Appointment and designation of the duties of a webmaster. Terms, conditions, compensation and entering into a Webmaster service contract. **(Discussion/Action)**.
 13. Resignation of Robert K. Gentry. Acceptance of resignation dated December 13, 2006 as Executive Director and Chief Financial Officer. **(Discussion/Action)**.
 14. NIRB records and properties. Consider and take appropriate action to obtain all NIRB records and properties under the control, or in possession of, Robert K. Gentry, or other persons. **(Discussion/Action)**.
 15. Actions of previous Board Members. Consider and take appropriate action as deemed prudent to rescind all bank transactions, agendas, minutes and all other business, contracts and communications by the NIRB from August 31, 2005 through April 1, 2006. **(Discussion/Action)**.
 16. Appointment of Executive Director. Consider appointment of a new Executive Director. Consider potential candidates and their qualifications, duties and responsibilities, compensation and related matters. Interview potential candidates for appointment. **(Discussion/Action)**.
- C. Executive Director's Report: None **(Informational Only)**.

- D. Special Reports of Members from Prior Meetings (**Informational and/or Discussion Only**).
- E. Report of Legal Counsel (**Informational Only**).
- F. Public Comment (**Discussion only**).
- G. Executive Session. Personnel Matters
 - 1. Vote on proceeding in closed session relating to Nancy Lucas. Closed session is permitted to consider the character, alleged misconduct, professional competence or physical or mental health of a person pursuant to NRS 241.030(1). (**Discussion/Action**).
 - 2. Nancy Lucas personnel matter. Review and consider the status of Nancy Lucas as an employee of the NIRB and matters relating thereto. (**Discussion/Action**).
 - 3. Vote on returning to open session. Vote on discussion and recommendations of Board Members relative to the Nancy Lucas personnel matter. (**Discussion/Action**).
- H. Application by Nancy Lucas for the position of Executive Director.
 - 1. Review and consider Nancy Lucas' application for the position of Executive Director. (**Discussion/Action**).
- I. Suggested Agenda Items for Next Meeting (**Discussion/Action**).
- J. Announcements; Next Meeting Date (**Discussion/Action**).
- K.. Adjournment (**Discussion/Action**).