

NEVADA STATE BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

NOTICE OF SPECIAL PUBLIC MEETING AND AGENDA

PUBLIC BODY: NEVADA STATE BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

DATE OF MEETING: Thursday, 12 April 2007

TIME OF MEETING: 5:30 p.m. Pacific Time

LOCATION OF MEETING: CANCER SCREENING & TREATMENT CENTER
521 Hammill Lane
Reno, NV 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
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 Executive Director Nancy Eklof at (775) 324-3353, 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:

- Valerie Kilgore, Member and President
- Bruce Fong, Member and Vice President
- Fuller Royal, Member and Secretary-Treasurer
- Diane Kennedy, Member
- Daniel Royal, Member
- Cyrus Pourzan, Member
- Leticia Gardea, Member
- Executive Director, Nancy Eklof
- Ned Reed, Senior 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. Valerie Kilgore, President. Time: _____p.m.
- 2. Roll call and determination of a quorum.
- 3. Verification of Posting and Mailing.
- 4. Welcome all visitors.
The Chair will set the time for adjournment. Time: _____p.m.
- 5. Approval of the Agenda for this meeting. **(Discussion/Action)**

B. Executive Business.

5 min.

- 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. The Chair or Board members may vote to suspend the Rules for taking Agenda items out of order if circumstances require such. **(Discussion/Action)**
- 2. Introduction of new Board member, Leticia Gardea. Administration of the Oath/Affirmation as required pursuant to NRS 630A.130. **(Discussion/Action)**
- 3. Review and approve the Minutes of the 10 March, 2007, meeting of the Board. **(Discussion/Action)**
- 4. Removal of Homeopathic Medical Board billing records from the Office of Attorney General.
a. Nancy Eklof, Executive Director, will discuss a breach of privacy of the Board and NRS 630A licensees and certificate holders wherein the Board's Attorney General Bills were released without Board authorization in an unredacted form.
 - 1. Declaration of Nancy Eklof;
 - 2. Executive Director's letter to Attorney General Masto.
 - 3. Executive Director's memo to all licensees and certificate holders.
 - 4. Executive Director's letter to Governor Gibbons.

5 min.

Board to consider sending a letter to Attorney General Masto requesting an immediate and full investigation into how the breach of privacy was allowed to happen. **(Discussion/Action)**

15 min.

b. Consideration and determination of whether Homeopathic Board billing records in the Attorney General's office were obtained by Daniel Royal and/or Dean Friesen without authorization, and/or should be returned, whether the subpoena issued by the Board President has been complied with regarding the return of these records, and whether further action, including injunctive relief or a civil lawsuit is warranted as to Daniel Royal and Dean Friesen, or whether disciplinary action is warranted as to Daniel Royal pursuant to Article 7, section 2 of the Board Bylaws. **(Discussion/Action)**

Daniel F. Royal, D.O., H.M.D., J.D., Board Member

1. Vote on whether to proceed in closed session. Closed session is allowed to consider the whether or not the billing records were obtained by Daniel Royal alone or in concert with other individuals and what, if any, action should be taken in regards to Daniel Royal's possible actions and participation in obtaining the Board's billing records from the Office of Attorney General without Board authority. **(Discussion/Action)**

2. Open Session—Vote on whether to exonerate or discipline Board member and licensee Daniel Royal. **(Discussion/Action)**

Dean Friesen, Member of the public

1. Vote on whether to proceed in closed session. Closed session is allowed to consider the whether or not the billing records were obtained by Dean Friesen alone or in concert with other individuals and what, if any, action should be taken in regards to Dean Friesen's possible actions and participation in obtaining the Board's billing records from the Office of Attorney General without Board authority. **(Discussion/Action)**

2. Open Session—Vote on whether to exonerate or take legal action against Dean Friesen. **Discussion/Action)**

5. Gregg Koechlein will present to the Board his review and assessment of copies of receipts received from Daniel Royal on his own behalf and on behalf of Dean Friesen. The Board is to consider and determine whether sufficient receipts have been received from Daniel Royal to justify his receipt of \$5,500.00 from the Board in June 2005 for expenses for Daniel Royal and Dean Friesen related to lobbying activities during the 2005 Nevada Legislative Session, whether sufficient receipts have been presented to justify this amount, whether Daniel Royal and Dean Friesen are otherwise entitled to this money, and whether the Board should demand the return of these funds and/or file suit against these individuals for the return of any excess money paid to these individuals

15 min.

Daniel F. Royal, D.O., H.M.D., J.D.

1. Vote on whether to proceed in closed session. Closed session is allowed to consider the character and professional competence of Daniel Royal in regards to his failure to produce receipts justifying his receipt of \$5,500.00 from the Board in June of 2005, and to consider courses of action the Board should take, including filing a suit for return of money paid to him by the Board, and possible penalties related to his action in this matter. **(Discussion/Action)**

2. Open Session—Vote on whether or not to exonerate or proceed in taking action against Board member and licensee Daniel Royal in this matter. **(Discussion/Action)**

Dean Friesen, Member of the public

1. Vote on whether to proceed in closed session. Closed session is allowed to consider the character and competence of Dean Friesen, in regards to his participation in accepting funds from Daniel F. Royal who received \$5,500.00 from the Board in June of 2005, and to consider courses of action the Board should take, including filing a suit for return of money paid to him out of the money provided to Daniel Royal by the Board..**(Discussion/Action)**

2. Open Session—Vote on whether or not to exonerate or take legal action against Dean Friesen. **(Discussion/Action)**

C. NEW BUSINESS.

Congratulations to Senior Deputy Attorney General Ned Reed. The Board's legal counsel is being advanced in the Office of Attorney General; the Board to consider sending send a letter to Attorney General Masto expressing Mr. Reed's valuable contributions to the Board, and requesting that Mr. Reed be permitted to continue as the Board's legal counsel. **(Discussion/Action)**

5 min.

D. Public Comment. **(Discussion only)**

5 min.

E. Announcements; Next Meeting Date **(Discussion/Action)**

F. Adjournment. **(Discussion/Action)**

(Time: _____p.m.)