

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: Saturday, 10 March 2007

TIME OF MEETING: 10:30 a.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
- John H.O. LaGatta, Member
- Daniel Royal, Member
- Cyrus Pourzan, Member
- Executive Director, Nancy Eklof
- Ned Reed, 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: _____ a.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, Cyrus Pourzan, MD, HMD. Administration of the Oath/Affirmation as required pursuant to NRS 630A.130. **(Discussion/Action)**.

- 3. Review and approve the Minutes of the January 27, 2007, meeting of the Board. **(Discussion/Action)**.

5 min.

- 4. NIRB Committee Report. Diane Kennedy. There are two vacancies on the Nevada Institutional Review Board that must be filled by Board appointment. The NIRB Committee has reviewed applications of individuals desiring to be appointed to the NIRB. Two (2) individuals will be presented with the Committee's recommendations to the Board. **(Discussion/Action)**.

- a. Interview Sandra Tiffany, applicant for appointment to the NIRB.

5 min.

- 1. Vote on whether to proceed in closed session. Closed session is allowed to consider the character and professional competence of Sandra Tiffany in regards to her application requesting appointment to the NIRB. **(Discussion/Action)**.

- 2. Open Session—Vote on whether or not to appoint Sandra Tiffany to the NIRB. **(Discussion/Action)**.

- b. Interview Dr. Gregory Olson, applicant for appointment to the NIRB.

5 min.

1. Vote on whether to proceed in closed session. Closed session is allowed to consider the character and professional competence of Dr. Gregory Olson in regards to his application requesting appointment to the NIRB. **(Discussion/Action)**.

2. Open Session—Vote on whether or not to appoint Dr. Gregory Olson to the NIRB. **(Discussion/Action)**.

c. Interview Dr. Thomas Lee, applicant for appointment to the NIRB.

1. Vote on whether to proceed in closed session. Closed session is allowed to consider the character and professional competence of Dr. Thomas Lee in regards to his application requesting appointment to the NIRB. **(Discussion/Action)**.

2. Open Session—Vote on whether or not to appoint Dr. Thomas Lee to the NIRB. **(Discussion/Action)**.

5. Pursuant to NRS 218.8235 and 218.8245, the Board is required to provide the Division of Internal Audits and the Legislative Auditor a report on or before March 14, 2007 showing the Board's plan for corrective action to be taken in compliance with the requirements of the Audit Subcommittee of the Legislative Commission. The Board is to review, make additions/deletions if necessary, and finalize this report and its accompanying letter. **(Discussion/Action)**. 5 min.

6. Review, make additions/deletions and/or new language (if necessary) and support the Board's BDR, Assembly Bill 234, which has been introduced in the legislature and is to be heard before the Assembly Commerce and Labor Committee.

a. The President has been delegated authority by the Board (27 January 2007 Meeting, Agenda Item E) to appoint or delegate an individual or individuals to speak in behalf of the Board in matters pertaining to legislation that could impact the Homeopathic Medical Board or NRS 630A, including, without limitation, AB 234. **(Discussion/Action)**. 5 min.

7. Board Lobbyist during the 2007 Session of the Nevada Legislature: Should the Board appoint a Board member to register as a lobbyist? Should the Board employ a lobbyist during this or any legislative session? **(Discussion/Action)**. 5 min.

C. Unfinished Business. Fuller Royal presented Article 5, Section 12, and Article 7, Section 1 of the Policy and Bylaws Manual during the 27 January 2007 meeting with recommended additions/deletions, and new language during this Board meeting. These changes are to be discussed, modified and accepted or rejected during this meeting. 5 min.

1. Board to consider additions in ***bold italics*** and deletions in brackets ~~[strikethrough]~~ during the next Board meeting 5 min.

Article 5. Section 12: Compliance Audit Committee: A Compliance Audit Committee shall be appointed by the President. Committee duties shall be to ***assist public or private auditors in maintaining all procedural and financial requirements necessary to be in full*** ~~[and survey the practices of licensees and certificate holders for]~~ compliance with NRS 630A and NAC 630A. The ***Vice President shall be a member and Chair the*** Compliance Audit Committee. ***The Committee shall meet with the Policy and Bylaws Committee annually, or more often if necessary, to recommend additions/deletions or new language to the Policy and Bylaws Manual as needed pursuant to*** ~~[has the full power to act on]~~ all matters within ~~[its respective areas of business as found in]~~ this ~~P[ol]icy M[an]ual, the Board B[yl]aws, NRS 630A, NRS 241, [or] NAC 630A,~~ ***or within any other Nevada statute or code, including the State Administration Manual (SAM), the Government Accountability Office requirements, and the Board and Commission Manual.*** The Compliance Audit Committee shall be subject to the orders of a majority vote of the Board ***during any regular or called meeting at which a quorum is present*** ~~[and none of its acts shall conflict with any order of or action taken by majority vote of the Board]~~. All ***recommendations*** ~~[compliance audits and]~~ ***for Board actions believed necessary to sustain the Board in fulfilling is legislative mandate to protect the public and advance alternative and complementary integrative medicine (CIM) in Nevada shall become priority agenda items during every Board meeting until resolved to the satisfaction the***

Board as determined by a majority vote of the Board during a regular or called meeting at which a quorum is present ~~[taken by the Committee shall be reported to the Board]~~; **(Discussion/Action)**.

2. Board to consider deleting the following language in brackets ~~[strikethrough]~~ during the next Board meeting:

Article7 Section 1: If a board member files or aids and abets another to file an open meeting law complaint with the Attorney General's Office or any other complaint with a governmental agency, other than a complaint constituting grounds for disciplinary action pursuant to NRS 630A.390, pertaining to a Board action or inaction, or the conduct of a Board officer or the Executive Director, and the complaint is deemed to be without merit ~~[by the Attorney General's Office or other governmental agency considering it]~~, the Board may separately review this complaint to determine if the complaint was frivolous. If, after a meeting, the Board determines that the complaint was frivolous, it may impose upon the Board member the discipline allowable in section 2 of this article. **(Discussion/Action)**.

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

5 min.

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

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

(Time: _____p.m.)