

NEVADA STATE BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

NOTICE OF OPEN SESSION BOARD MEETING AND AGENDA

SATURDAY SEPTEMBER 15, 2007

10:00 a.m. pacific time

PUBLIC BODY:

NEVADA STATE BOARD OF HOMEOPATHIC MEDICAL EXAMINERS

Best Western Airport Plaza
1981 Terminal Way
Reno, NV 89502

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, 6512 South McCarran Blvd-Suite E, Reno, NV 89509
The Nevada Clinic, 3663 Pecos-McLeod Intersection, Las Vegas, NV 89121

In addition, the **Notice of Open Session 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 session 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:

- Fuller Royal, MD, HMD, Member and President
- Valerie Kilgore, Member and Vice President
- Bruce Fong, DO, HMD, Member and Secretary-Treasurer
- Diane Kennedy, Member
- Daniel Royal, DO, HMD, JD, Member
- Cyrus Pourzan, MD, HMD, 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

1. OPEN SESSION.

- A. Call to order Fuller Royal, President. Time: _____ a.m.
- B. Roll call and determination of a quorum.
- C. Verification of Posting and Mailing.
- D. Welcome all visitors.
- E. The Chair will set the time for adjournment. Time: _____ p.m. .
- F. Approval of the Agenda for this meeting. **(Discussion/Action)**

2. BOARD BUSINESS.

- A. 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)**
- B. Review and approve the Minutes of the June 13 2007, meeting of the Board. **(Discussion/Action)**.
- C. Due to the unusual circumstances in Agenda Item 6A, the Oath of Office is to be administered to Dr. Robert Eslinger and Frank Roberson who have been appointed by Governor Gibbons to serve as temporary Board members during the September 15, 2007 meeting in regards to Agenda Item 4A and 4B. **(Discussion/Action)**

3. APPLICANT FOR LICENSURE/CERTIFICATION

- A. Alan Greenberg is reapplying for an advanced homeopathic practitioner certificate under the supervision of F. Fuller Royal, M.D., H.M.D. Application documents, Informed Consent Form and

Protocol have been reviewed by the Executive Director and Secretary-Treasurer; applicant is prepared to take the written examination and appear before the Board for interview. **(Discussion/Action)**

4. NEW BUSINESS. **(Discussion/Action)**

- A. Senior Deputy Attorney General report on investigation of complaint 2007- 02: The Board will determine, based on the recommendation of the Senior Deputy Attorney General, whether to dismiss the complaint or approve the filing of a formal disciplinary complaint. If the Board votes to approve the filing of a formal disciplinary complaint, the Board may determine a date for hearing the complaint, and may determine whether or not a hearing officer should hear the complaint.

Two temporary Board members appointed by the Governor, Dr. Robert Eslinger and Frank Roberson, may participate in discussion/action of this agenda item. **(Discussion/Action)**

- B. Dr. Daniel Royal: Board to consider Dr. Dan Royal's character, alleged misconduct, professional competence, or physical or mental health, and Notice of Administrative Action as to Dr. Dan Royal: The Board, including temporary Board member, Dr. Robert Eslinger, will consider the following actions as to Dr. Royal based on his conduct as a Homeopathic Physician.

- a. Summary suspension of his license pursuant to NRS 233B.127 and NRS 630A.450 pertaining to allegations of a violation of NRS 630A.360(4).
- b. Requirement to undergo a mental or physical examination pursuant to NRS 630A.420 based on the allegations under (a).

The Board, including temporary Board member, Dr. Robert Eslinger, may vote to go into closed session to consider these matters, but any action must be taken in open session. **(Discussion/Action)**

- C. Robert Field, APH & Kristin Field, APH change of Supervising Physician from Dr Michael Gerber to Dr. David Holt. **(Discussion/Action)**
- D. Greg Fihn, D.O, HMD & Maria Fihn, RN, APH CME reviewed by Bruce Fong, Education Committee Chair. **(Discussion/Action)**
- E. Colleen Mahoney, R.N.APH change Supervising Physician from Dr. Frank Shallenberger to Dr. Michael Gerber. **(Discussion/Action)**
- F. David Steenblock, D.O. HMD. Consider restoration of license pursuant to NRS 630A.530 and NRS 622A. **(Discussion/Action)**
- G. Response to letter from Dept. of Health & Human Services to NIRB. Draft letter to FDA. **(Discussion/Action)**

5. EXECUTIVE DIRECTOR'S REPORT: Review of current finances and pending issues. (Discussion)

6. POLICY AND BYLAWS MANUAL: Review and consider Additions, Deletions, New Language in Policy and Bylaws Manual. **(Discussion only)**

7. PUBLIC COMMENT. **(Discussion only)**

8. ANNOUNCEMENTS; NEXT MEETING DATE. Set Meeting dates for January 2008 meeting and July 2008 meeting **(Discussion/Action)**

9. ADJOURNMENT. **(Discussion/Action)**

Time: _____p.m.