

**STATE OF NEVADA  
HOMEOPATHIC MEDICAL EXAMINERS BOARD**

**MINUTES**

**ANNUAL BOARD MEETING**

**Saturday, January 31, 2009  
10:00 a.m. (pacific time)**

**LOCATION OF MEETING:**

**Meadowood Courtyard  
South Virginia Street  
Reno, Nevada**

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

Fuller Royal, MD, HMD, Member and President,  
Bruce Fong, DO, HMD, Member and Secretary-Treasurer  
Diane Kennedy, Member, not present  
Cyrus Pourzan, MD, HMD, Member  
Leticia Gardea, Member, present by phone  
Robert Eslinger, Member, present  
KJ Bryant, Member, not present  
Executive Director, Nancy Eklof, Present  
Deputy Attorney General, Counsel to the Board, Dawn Kemp, Present

**MEMBERS OF THE PUBLIC:**

Thomas Lee, APH  
Michael Gerber, NHIMA  
Tiffany Vanderstokker, NHIMA  
Inge Gerber, HA  
Dennis Grover  
Deborah Inskip, APH  
Gay Langham-McNally

**A. OPEN SESSION**

President Royal called the meeting to order at 10:18 a.m., with a quorum of five members present. He set the meeting adjournment time at approximately 4:00 p.m. It was noted the meeting agenda had been posted and verified. President Royal welcomed visitors to the meeting and requested visitors sign in.

**Bruce Fong moved to approve today's meeting agenda. Robert Eslinger seconded the Motion.** Discussion followed clarifying an NRS Committee meeting was held last night, but no new items were added to today's meeting agenda. **Motion carried with two abstentions from Board member Gardea and Board member Pourzan.**

**B. EXECUTIVE BUSINESS**

**1. Introduction of New Board members: KJ Smith and Robert Eslinger** - President Royal noted Board member Smith was not in attendance at today's meeting. Board member Fong, Secretary-Treasurer, performed the public swearing-in ceremony of Robert Eslinger.

**2. Presentation of Applicants for Licensure or Certification** - It was noted applicants signed the Open Meeting Law waiver granting permission for Board interviews after the written examination. President Royal noted no action will be taken

if the Board goes into closed session for further discussion of applicants. Board member Fong introduced the following applicants individually followed by Board interviews with each applicant:

Geoffrey Ames, MD, HMD applicant  
Josua Gerber, APH applicant  
Marianna Brochu, APH applicant  
Sowmya Sridharan, APH applicant

It was clarified the Board was to approve each applicant to take the written examination.

**Bruce Fong moved to approve Geoffrey Ames to take the HMD examination. Cyrus Pourzan seconded the Motion. Motion carried unanimously.**

**Bruce Fong moved to approve Joshua Gerber to take the APH examination. Cyrus Pourzan seconded the Motion. Motion carried unanimously.** This was following extensive discussion of applicant's qualifications.

**Bruce Fong moved to approve Marianna Brochu to take the APH examination. Cyrus Pourzan seconded the Motion. Motion carried unanimously.**

**Cyrus Pourzan moved to approve Sowmya Sridharan to take the APH examination. Robert Eslinger seconded the Motion. Motion carried with one abstention from President Royal who stated he would be Ms. Sridharan's supervisor.**

At this time, President Royal called for a five-minute break to begin written examinations. At 11:02 a.m., the meeting resumed.

### **3. Review and Approval of Minutes for the following Board Meetings:**

- **April 4, 2008**
- **June 26, 2008**
- **September 16, 2008**
- **December 11, 2008**

Board member Gardea stated she was not comfortable with approving 2008 meeting minutes in 2009. President Royal explained there was difficulty with having meetings last year due to lack of quorums and that when quorums were in attendance Board members did not want to approve meeting minutes until all Board members were present.

**Bruce Fong moved to approve the April 4, 2008 meeting minutes. Fuller Royal seconded the Motion.** Discussion followed clarifying Board member Eslinger would abstain from voting due to the fact that he was a new Board member and not on the Board during meetings held in 2008. Deputy Attorney General Kemp stated for the record that the Legislature required minutes or transcripts of Executive Branch agency meetings, but statute does not require approval of minutes or transcripts. No action was taken on this agenda item.

**Bruce Fong moved to approve the June 26, 2008 meeting minutes. Fuller Royal seconded the Motion. Motion failed by a vote of two "Ayes" and three abstentions.**

Board member Fong explained the September 16, 2008 meeting was a quick meeting to review LCB File No. R085-08 and to remove Board revisions as revisions were not in compliance. **Bruce Fong moved to approve the September 16, 2008 meeting minutes. Fuller Royal seconded the Motion. Motion failed by a vote of two "Ayes" and three abstentions.**

**Bruce Fong moved to approve the December 11, 2008 meeting minutes. Fuller Royal seconded the Motion. Motion failed by a vote of two "Ayes" and three abstentions.**

## **C. COMMITTEE REPORTS**

**1. Executive Committee** – President Royal reported he had no items to present as a meeting of the Executive Committee was not held.

**2. Policy Manual Committee** – President Royal explained additions and deletions needed to be made to the Board's Policy and Bylaws Manual to be in compliance with NAC changes made in December 2008. Action regarding changes would be

agendized for the next meeting. Discussion followed clarifying one of the changes was for the Board to determine the term of office.

**3. Fiscal-Finance Committee** – Executive Director Nancy Eklof reported the Committee was determining the best method to write-off legal fees faced by the Board in lawsuits that the Board eventually won. She stated the Finance Chair Diane Kennedy is suggesting to the AG office writing off approximately \$100,000. President Royal suggested tabling this issue until further information was received.

**4. Education Committee** – Board member Fong reported Dr. Robert Rowen, HMD, was requesting Continuing Education Credits be granted for licensees who attend meetings at the International College of Integrative Medicine (ICIM). Board member Fong suggested granting the college a CME provider status because ICIM meets NRS statute.

**Cyrus Pourzan moved to approve the ICIM. Bruce Fong seconded the Motion. Motion carried unanimously.**

**5. NAC Committee** – President Royal explained the Board’s regulation had been broken into two separate regulations and one of the regulations regarded a slight increase in fees.

#### **6. NRS Committee**

**A. Review of the Annual Report to the Legislature** - President Royal reported the Committee met yesterday to review suggestions to the Legislature. He noted the recommendation was for the LCB and not the BDR. Discussion was heard about removing the following portions of the letter regarding:

- The length of stay
- Granting full prescription privileges and allowing the Board to grant clinical out-patient procedure services to qualified NRS630A licensees

Board member Pourzan suggested transferring the responsibility of the Nevada Institutional Review Board (NIRB) to the School of Medicine. President Royal stated NIRB responsibility was included because it was still in statutes.

**Bruce Fong moved to approve the removal of the portions regarding “length of stay” and granting full prescription privileges and clinical out-patient procedure services. Robert Eslinger seconded the Motion. Motion carried unanimously.**

The Board discussed changing the definition in statute from “Homeopathic Medicine” to “Alternative Medicine”. Board member Gardea encouraged obtaining input from the medical community about the change before offering the suggestion. Dr. Michael Gerber, HMD, President of Homeopathic and Integrated Medical Association, reported a meeting was held last week to review current Legislature regarding Homeopathy in Nevada. He stated the Board was doing a good job of obtaining input from licensees.

At 12:05 p.m., President Royal called for a lunch break. At 12:35 p.m., the meeting resumed.

**Bruce Fong moved to hold a phone meeting on Tuesday, February 10, 2009 at 5:30 p.m. at the Nevada Clinic and Sierra Integrative Medical Center for discussion of final changes to the Annual Report to the Legislature. Cyrus Pourzan seconded the Motion. Motion carried unanimously.**

**B. Review of Senate Bill 69** – President Royal suggested the Board focus their attention more on the Annual Report to the Legislature.

**Cyrus Pourzan moved to table item C6B to the February 10, 2009 telephone meeting. Bruce Fong seconded the Motion. Motion carried unanimously.**

#### **D. NEW BUSINESS**

**1. Executive Director’s Report** – Executive Director Eklof reported the Board’s Annual Budget Report was submitted. She noted a request would be made to the Legislature to allow the Board to receive grants and private donations. A review of the Board’s books would be held once per quarter. It was suggested to impose a lien to recover money owed to the Board from a couple of years ago.

**Cyrus Pourzan moved to approve the Executive Director's Report; to empower Ms. Eklof to collect past due monies; and, for Ms. Eklof to work with Board member Gardea on updating QuickBooks. Leticia Gardea seconded the Motion. Motion carried unanimously.**

**2. Legislature Report** – This item was discussed earlier in the meeting.

**E. ELECTION OF OFFICERS: SECRETARY-TREASURER, VICE PRESIDENT AND PRESIDENT**

The following nominations were made by Board member Pourzan: Bruce Fong as Secretary-Treasurer and Robert Eslinger as Vice President. The following motion was made by Board member Gardea: Cyrus Pourzan as President. The Board voted in favor of the nominations with one abstention from Fuller Royal.

**F. PUBLIC COMMENT**

A. Gay Langham-McNally, Certified Clinical Nutritionist in Reno, stated her concern with Senate Bill 69 and NRS 630A was that there was not a definition regarding her position or that what was defined prohibited her position. Board member Fong suggested Ms. Langham-McNally address her concern to the NRS Committee.

B. Michael Gerber requested granting a CME provider status to APHs and HAs so licensees could seek further education at places other than NHIMA. He reported the Massage Board in Reno attempted to impose cease and desist orders on other certified practitioners in Reno. Mr. Gerber requested the Board agendaize this issue for the next meeting to discuss if the Massage Board had the right to dictate functions for licenses and certificate holders under the Homeopathic Board in a licensed homeopathic clinic.

C. Inge Gerber, HA, suggested the Board investigate CAM (Complimentary Alternative Medicine) when considering changing Homeopathic Medicine to Alternative Medicine.

**G. ANNOUNCEMENTS: NEXT MEETING DATE**

President Pourzan suggested having a strategic planning session for the Legislative session. Board member Fong stated the President will determine the next meeting date to be announced. Board member Royal reminded President Pourzan to determine committees.

At this time, Board member Fong called for a recess to review examinations until approximately 2:15 p.m. At 2:22 p.m., the meeting reconvened.

Board member Fong congratulated Geoffrey Ames, Joshua Gerber, and Sowmya Sridharan for passing their respective examinations. He explained Marianna Brochu could take the HA examination if she wished as soon as convenient for the Board, but that she was qualified to retake the APH examination after a period of time as defined under the current statutes.

**Bruce Fong moved to allow Marianna Brochu to take the HA examination at the Board office or to wait six months to retake the APH examination at the next regular Board meeting. Fuller Royal seconded the Motion. Motion carried.**

The Board reviewed passing scores of Geoffrey Ames, Joshua Gerber, and Sowmya Sridharan.

**Bruce Fong moved to approve Geoffrey Ames full licensure as a Homeopathic Medical Physician. Fuller Royal seconded the Motion. Motion carried unanimously.**

**Bruce Fong moved to approve Joshua Gerber as APH. Fuller Royal seconded the Motion. Motion carried unanimously.**

**Bruce Fong moved to approve Sowmya Sridharan as APH. Robert Eslinger seconded the Motion. Motion carried with one abstention from Board member Royal.**

**H. ADJOURNMENT**

There being no further business, the meeting adjourned at 2:36 p.m.

**Fuller Royal moved to adjourn the meeting. Bruce Fong seconded the Motion. Motion carried unanimously.**