

NEVADA STATE BOARD OF MEDICAL EXAMINERS

1105 Terminal Way, Suite 301
Reno, NV 89502-2144

Michael J. Fischer, M.D.
Board President



Edward O. Cousineau, J.D.
Executive Director

❖ **PUBLIC NOTICE** ❖

**NEVADA STATE BOARD OF MEDICAL EXAMINERS
BOARD MEETING**

Conference Room at the Offices of the Nevada State Board of
Medical Examiners
1105 Terminal Way, Suite 301, Reno, Nevada 89502

Videoconferenced (or Teleconferenced) to:

Conference Room at the Offices of the Nevada State Board of Medical
Examiners/Nevada State Board of Dental Examiners
6010 S. Rainbow Boulevard, Building A, Suite 1, Las Vegas, Nevada 89118

Friday, March 3, 2017 – 8:30 a.m.

*** AGENDA ***

Please Note:

- Persons wishing to attend this meeting may do so at either of the above-listed locations.
- Agenda items, other than those items posted with a specific time, may be taken out of sequence or may be combined for consideration by the Board to accommodate persons appearing before the Board and/or to aid in the effectiveness of the meeting.
- Items may be pulled or removed from the Agenda at any time.
- Certain Agenda items, or portions thereof, may be conducted in closed session, in accordance with NRS 241.030.
- Public comment is scheduled under Agenda Item 2, at the beginning of the meeting, and again under Agenda Item 24, at the end of the meeting, and may also be called for at other times throughout the meeting by the Board President. When these Agenda items are called, members of the general public may bring matters not appearing on this Agenda to the attention of the Board. The Board may discuss the matters, but may not act on the matters at this meeting. If the Board desires, the matters may be placed on a future Agenda for action. In consideration of others, who may also wish to provide public comment, please avoid repetition and limit your comments to no more than four (4) minutes.
- Prior to the commencement and conclusion of a contested case or a quasi-judicial proceeding that may affect the due process rights of an individual, the Board may refuse to consider public comment. See NRS 233B.126.

1. Call to Order and Announcements
- Roll Call/Quorum
2. Public Comment
3. Approval of Minutes (for possible action)
- December 2, 2016 Board Meeting – Open/Closed Sessions
4. Presentation by the Federation of State Medical Boards Regarding Federation Programs and Services Available to Federation Members and Updates on Telemedicine, Medical Marijuana and Opiates Prescribing
Friday, March 3, 2017, at 8:35 a.m., or as soon thereafter as it may be heard
- Jerry G. Landau, J.D., Director; Lisa A. Robin, Chief Advocacy Officer - Federation of State Medical Boards
5. Legislative Update
Friday, March 3, 2017, at 9:30 a.m., or as soon thereafter as it may be heard
- Keith L. Lee, Esq. and Regan Comis, NSBME Legislative Representatives; Edward O. Cousineau, J.D., Executive Director
6. Consideration and Action Regarding Proposed Amendments to Nevada Administrative Code (NAC) Chapter 630 (for possible action)
Friday, March 3, 2017, at 9:45 a.m., or as soon thereafter as it may be heard
- Todd C. Rich, Deputy Executive Director
- Request for Authorization to Proceed With the Regulatory Adoption Process to Repeal NAC 630.205 Regarding Prescription of Appetite Suppressants
7. Consideration of Request of Elliott Schmerler, M.D., for Removal of Condition on His Medical License (for possible action)
Friday, March 3, 2017, at 9:50 a.m., or as soon thereafter as it may be heard
- Elliott Schmerler, M.D.
8. Consideration of Request of James Eells, M.D., for Removal of Condition on His Medical License (for possible action)
Friday, March 3, 2017, at 10:00 a.m., or as soon thereafter as it may be heard
- James Eells, M.D.
9. Consideration of Request of David G. Watson, M.D., for Removal of Conditions on His Medical License (for possible action)
Friday, March 3, 2017, at 10:10 a.m., or as soon thereafter as it may be heard
- David G. Watson, M.D.
10. Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. Don Jae Park, M.D., BME Case No. 15-40320-1 (for possible action)
Friday, March 3, 2017, at 10:15 a.m., or as soon thereafter as it may be heard
- Henna Rasul, J.D., Senior Deputy Attorney General

11. Reports
 - (a) Investigative Committees
 - Wayne Hardwick, M.D., Secretary-Treasurer, Chairman, Investigative Committee A;
 - Rachakonda D. Prabhu, M.D., Vice President, Chairman, Investigative Committee B
 - (b) Nevada State Medical Association Report - Catherine O'Mara, Executive Director, Nevada State Medical Association; Wayne Hardwick, M.D., Board Secretary-Treasurer
 - (c) Clark County Medical Society Report - Loretta Moses, Executive Director, Clark County Medical Society
 - (d) Washoe County Medical Society Report - Mary Ann McCauley, Executive Director, Washoe County Medical Society

12. Consideration of Settlement Agreement in the Matter of the Nevada State Board of Medical Examiners vs. Trevor A. Schmidt, PA-C, BME Case No. 17-36566-1 (for possible action)
- Robert Kilroy, J.D., General Counsel

13. Consideration of Settlement Agreement in the Matter of the Nevada State Board of Medical Examiners vs. Ali Dana, M.D., BME Case No. 16-37541-1 (for possible action)
- Robert Kilroy, J.D., General Counsel

14. Consideration of Settlement Agreement in the Matter of the Nevada State Board of Medical Examiners vs. Rogelio Machuca, M.D., BME Case No. 15-33896-1 (for possible action)
- Robert Kilroy, J.D., General Counsel

15. Consideration of Settlement Agreement in the Matter of the Nevada State Board of Medical Examiners vs. Sheldon Paul, M.D., BME Case No. 15-11328-1 (for possible action)
- Robert Kilroy, J.D., General Counsel

16. Consideration of Settlement Agreement in the Matter of the Nevada State Board of Medical Examiners vs. Robert W. Watson, M.D., BME Case No. 15-12823-1 (for possible action)
- Robert Kilroy, J.D., General Counsel

17. Consideration of Settlement Agreement in the Matter of the Nevada State Board of Medical Examiners vs. Albert H. Capanna, M.D., BME Case No. 12-6789-1 (for possible action)
- Robert Kilroy, J.D., General Counsel

18. Executive Staff/Staff Reports
 - (a) Investigations Division Report - Pamela J. Castagnola, CMBI, Chief of Investigations
 - (b) Quarterly Compliance Report - Donya Jenkins, Finance Manager
 - (c) Quarterly Update on Finances - Donya Jenkins, Finance Manager
 - (d) Legal Division Report - Robert Kilroy, J.D., General Counsel

19. Licensure Ratification (for possible action)
Ratification of Licenses Issued, Reinstatements of Licensure and Changes of Licensure Status Approved Since the December 2, 2016 Board Meeting

20. Appearances for Consideration of Acceptance of Applications for Licensure
(for possible action)
Portions of these Appearances may be conducted in closed session in accordance with NRS 241.030.
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| (a) Rajeev Kumar Kalra, M.D. | (d) Aaron James Simko, M.D. |
| (b) Michael David Sapozink, M.D. | (e) Garry Earl Siegel, M.D. |
| (c) Eduardo Lichi, M.D. | (f) Manish J. Patel, M.D. |
21. Consideration and Approval of Revisions to Board Policy and Procedure Manual, to Include Modification of Provisions Related to Employee Evaluations and Salary Reviews and Creation of New Provisions Related to Voting Leave (for possible action)
- Edward O. Cousineau, J.D., Executive Director; Todd C. Rich, Deputy Executive Director
22. Matters for Future Agendas
23. Staff Comments/Updates
24. Public Comment
25. Adjournment (for possible action)

NOTICES POSTED AT THE FOLLOWING:

Nevada State Board of Medical Examiners - Reno
Washoe County Courthouse – Reno
Office of the Attorney General - Carson City
Office of the Attorney General - Las Vegas
Elko County Courthouse - Elko
White Pine County Courthouse – Ely
www.notice.nv.gov
www.medboard.nv.gov

PLEASE NOTE:

- 1) Persons/facilities desiring copies of the Board's agenda must submit their request in writing every twelve (12) months. Check the address label for this agenda for expiration date.
- 2) 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 in accordance with the Open Meeting Law.
- 3) Members of the public who are disabled and require special accommodations or assistance at the meeting are requested to notify the Board office in writing at 1105 Terminal Way, Suite 301, Reno, NV 89502-2144, or by calling (775) 688-2559, prior to the date of the meeting.
- 4) Anyone desiring supporting material for the meeting is invited to call Laurie Munson at 775-324-9369. Supporting material for the meeting is available at the Board's office at 1105 Terminal Way, Suite 301, Reno, Nevada.